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

---

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

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FIFTH SESSION—THIRD PARLIAMENT.

---

41 VICTORIA, 1878

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VOL. V

COMPRISING THE PERIOD FROM THE TWENTY-SIXTH DAY OF MARCH, 1878  
TO THE TENTH DAY OF MAY, 1878.

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SECOND VOLUME OF THE SESSION.

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1878.



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she has enjoyed them in the past, she will continue to have in His Excellency a friend and advocate; and that it is our heartfelt wish that, for many years, the Empire at large may have the benefit of His Excellency's ripe wisdom, experience and eminent abilities."—( <i>Mr. Mackenzie</i> ).	
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Moved in amendment—

- “That by a Return of the House of the 16th February, 1877, dated 1st March, 1877,—and also by a Return to an Order of the House of the 19th March, 1877, and dated 20th March, 1877, for copies of all tenders and contracts, plans and other correspondence, relating to the Ingonish Harbor contract, in Nova Scotia, it appears :—
- “That on the 10th of May, 1873, the contract for building Ingonish Harbour was awarded to F. W. McKenrie, for the sum of \$78,208.60; that in pursuance thereof an agreement was entered into, on the 22nd July, 1873, between F. W. McKenrie and the Minister of Public Works; that under the terms of the agreement, afterwards renewed between Ross and McKay, to whom the contract was transferred by the said F. W. McKenrie and the present Government on the 5th February, 1874, it was stipulated, that any change which the Government Engineer deemed necessary to be made in the original plans, should be so made by the contractor; and if extra expenses were entailed by such changes, the contractor should be paid extra for them; but should the change lessen the original expense, then such should be deducted from the amount of the contract;
- “That by the said contract, the said Ross and McKay were bound to build a Breakwater 700 feet long, and were to make good all damages it might sustain during its construction; that they were to dredge a channel into the harbour 200 feet wide, and fifteen feet deep; that the contract was to be finished on or before the 31st December, 1874; that the contractor was liable for any salary or wages due the person superintending the work, in behalf of the Government, for any time he might serve in so superintending beyond the 31st December, 1874;
- “That on the 30th September, 1875, Mr. Perley, Government Engineer, six months after the work should have been finished, recommended extra work, estimated to cost \$2,000;
- “That it appears the said Breakwater was not taken off the hands of the contractors before the 17th February, 1877; that at that time there was but 565 feet of the Breakwater the contractor was to construct completed—or 135 feet less than allowed by the terms of the contract;
- “That it does not appear that the channel has been dredged 200 feet wide and 15 feet deep, as per terms of contract, and as recommended on the 26th January, 1876, both by Mr. Perley and Mr. Baillarge; but on the contrary, the papers go to show that it has been dredged only 60 feet wide and 12 feet deep;
- “That it appears the sum of \$1,975 was paid one Angus McLeod, superintendent on this work, in behalf of the Government, for attendance subsequent to the 31st December, 1874, the time at which the work should have been completed;
- “That notwithstanding the reduction in the length of the Breakwater, and that the dredging was not done to the width of 200 feet, and to the depth of 15 feet, but only to 60 feet wide and 12 feet deep, and the extension of the time for building it to over two years, the Government paid the full amount of contract, \$78,208.60; and also extras to the amount of \$3,643, without deducting therefrom the allowance for the Breakwater being less in length, and the dredging less in width and depth as aforesaid, and without deducting the \$1,975 paid for the services of Superintendent after the time allowed for the completion of the contract.
- “That, in the opinion of this House, there was paid to the contractors a great deal more than ought to have been paid, causing serious loss to the country.”

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After debate, motion in amendment (*Mr. McDonald*, Cape Breton) negatived on division. Yeas, 49; Nays, 98.....

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**Building Societies Law Amendment Bill [BILL 55]—**

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**Moved in amendment—**

“That all the words after ‘that’ to the end of the said motion be left out, and the following words inserted instead thereof:—

“‘In the opinion of this House no subsidy should be granted to the Canada Central Railway Company for the construction of a Railway to connect with the Eastern Terminus of the Canada Pacific Railway, or the Georgian Bay Branch thereof, except upon an agreement being entered into by the Company to grant running powers on terms to be approved of by the Governor in Council to all Railways intersecting or connecting with the said Railway, in accordance with the provisions of the Canada Pacific Railway Act, 1874.’”  
(*Mr. Cameron*)..... 2503

Motion in amendment (*Mr. Cameron*) negatived on division. Yeas, 54; Nays, 94..... 2516

**Moved in amendment—**

“That the following be added to the said motion:—That in ratifying the said Order-in-Council this House desires to express its opinion that no payment should be made to the Canada Central Railway Company on account of the subsidy for the construction of a Railway to connect with the Eastern Terminus of the Canada Pacific Railway or the Georgian Bay Branch thereof, upon rails delivered to the extent of 75 per cent. of the market value thereof, except upon rails delivered at some point of the line to be constructed, and upon condition that such rails do become the property of the Government, until they are laid on the road for use.”—(*Mr. Bowell*).

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“That *Mr. Speaker* do now leave the Chair for the House to again into Committee of Supply.”—(*Mr. Cartwright*).

**Moved in amendment—**

“That the Speaker do not now leave the Chair, but that it be resolved, that the House regrets that in the face of annual deficits during the period in which the present Administration have been in power, amounting to \$3,360,812.72, as appears from the Public Accounts, the annual expenditure has not been curtailed so as to confine it within the Revenue, and instead of practically adopting a policy of retrenchment, the Government have expended more in each of the years 1874-75, 1875-76 and 1876-77, than the largest amount ever expended prior to year 1874-75.”—(*Mr. McCarthy*)..... 2519

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## ERRATA VOL. V.

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Page 1412, 1st col., at the end of Mr. Tupper's speech, *insert* the following :

" They might be sent to St. John by water at one-tenth the cost, and, in fact, it would be far better for the Government to hire vessels and send them that way than by railway, and they would make more money by it.

" MR. MCKAY (Colchester) said they might be sent that way for \$12 a car-load, and the lowest cost on the railway would be \$25 a car.

" MR. MACKENZIE—And that is very low.

" MR. MCKAY said it was very low, but he contended that the brick-makers of this country should be placed on a level with those of the United States. If the duty was taken off then the Canadian brick-maker might compete."

Page 1621, 2nd col., line 15, for "\$12" read "50c."

Page 1640, 1st col., line 52, for "MacDonnell" read "McDonald (Cape Breton.)"

Page 1659, 2nd col., line 4, for "Jetté" read "Baby."

Page 1813, 2nd col., line 3, before "now" *insert* "not."

Page 1975, 2nd col., lines 11 and 12, for "The Government" read "*L'Evenement.*"

Page 2009, 1st col., line 4, for "Taschereau" read "Mackenzie."

Page 2009, 2nd col., line 18, for "Cartwright" read "Blake."

Page 2086, 2nd col., line 28, for "Stephens" read "Stephenson."

Page 2140, 1st col., *insert* in Division the following names—Yeas :

"Baby,	Caron,	Langevin,	Pinsonneault,
Benoit,	✓ Casgrain,	Lanthier,	Platt,
Bernier,	Flesher,	Little,	Plumb,
Blanchet,	Fraser,	Macdonald (Kingston),	Pope (Compton),
Bolduc,	Gibbs (Ontario North),	Monteith,	Robinson,
Bourassa,	Haggart,	Montplaisir,	Rochester,
Bowell,	Harwood,	Orton,	Ryan.
Campbell,	Jones (Leeds),		

Page 2558, 1st col., line 14, for "April" read "May."

## HOUSE OF COMMONS.

Tuesday, 26th March, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

THE QUEBEC PROVINCIAL CRISIS.

MESSAGE FROM HIS EXCELLENCY.

MR. MACKENZIE delivered a Message from His Excellency the Governor-General.

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

“DUFFERIN.

“The Governor-General transmits to the House of Commons a Memorandum from His Honour the Lieutenant-Governor of the Province of Quebec, with accompanying documents, containing explanations in reference to the recent Ministerial changes in that Province.

“GOVERNMENT HOUSE,  
“OTTAWA, 26th March, 1878.”

MR. MASSON said he would like to know whether the correspondence relative to the De Boucherville Ministry, as it was printed, could not be placed at once in the hands of members.

MR. MACKENZIE said he had but one copy printed.

MR. MASSON: Then it was printed in Quebec.

MR. MACKENZIE: Yes.

MR. MASSON: That is extraordinary. There must be copies somewhere.

MR. MACKENZIE: That is likely.

MR. MASSON: Does the hon. gentleman think it is too long to be printed in the Votes and Proceedings?

MR. MACKENZIE: I do not think that it should be so printed; but, by understanding, it might be printed and distributed to-morrow.

MR. LANGEVIN: I would suggest that the Address from the Legislative Assembly of Quebec, which was brought down, should be printed as well.

MR. MACKENZIE: I think that would do very well. The two can be printed together.

MR. MASSON: Is the correspondence which took place just before the dismissal of the Ministry included?

MR. MACKENZIE: I suppose so. The Government have nothing else in their possession, but I think it is there.

## BILL INTRODUCED.

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

Bill (No. 60) To amend the Consolidated Insurance Act, 1877.—(Mr. Killam).

## PILOTAGE ACTS AMENDMENT.

## NOTICE OF MOTION.

MR. SMITH (Westmoreland) moved that the House, on Thursday next, go into Committee of the Whole to consider the following resolution:

“That it is expedient to provide that the Montreal Harbour Commissioners may, with the approval of the Governor in Council, make provision for licensing a second class of pilots for all steamers and for other vessels, not exceeding 250 tons register, and for other vessels exceeding 80 and not exceeding 250 tons register, navigating the River St. Lawrence between the harbour of Quebec and the upper limits of the harbour of Montreal, and may establish rates of pilotage to be paid by such steamers and vessels compulsorily, except ferry boats and steamers having on board a second class pilot as master or mate thereof, or vessels not exceeding 250 tons register when in tow of a steamer in charge of a licensed pilot; and to amend the Pilotage Acts of Canada accordingly.”

He said that this resolution contemplated the introduction of a Bill making a change in the Pilotage Law as concerned the River St. Lawrence between Montreal and Quebec, inclusive. At present all vessels under 250 tons register, registered in Canada, were exempt from paying pilotage dues; and all vessels below 250 tons, wherever they may have been registered, were also exempt. Experience had shown that, in connection with vessels below this size navigating the River St. Lawrence between these two points, a great many collisions had arisen; and on this subject a petition had been received from the Harbour Commissioners of Montreal, which, bye-and-bye, he would read; and also a communication from Sir Hugh Allan, who was a large steamboat owner, and largely interested in shipping and the

navigation of the river, recommending that second class pilots should be established, and that all sailing vessels between 80 and 250 tons should be made subject to pilotage dues, as well as all steamers of whatever size they might be. Practically, this resolution would require that all steamers, of whatever description, below 250 tons, and other vessels engaged in that service, should take the services of second class pilots; and all vessels below 80 tons would not require a pilot on board at all.

**MR. MITCHELL:** Will any discrimination be made in the rate of pilotage fees between first and second class pilots?

**MR. SMITH:** It is left entirely to the Harbour Commissioners to make rules, which, however, are subject to the approval of the Governor in Council. That power is now possessed.

**MR. LANGEVIN:** Is the pilotage rate now fixed by law or left entirely to the Harbour Commissioners?

**MR. SMITH:** They have the power; yes.

**MR. LANGEVIN:** In this case is a rate to be established by the Bill?

**MR. SMITH:** No; it will be established by the Harbour Commissioners, subject, however, to the approval of the Governor in Council. This is intended to secure the services of skilful men on board of all steamers and of the smaller class of vessels. They will require to have a second-class license, and it will be sufficient if one of the hands or the captain or mate has the certificate of a second-class pilot.

**MR. MITCHELL:** Am I to understand that the Bill which the hon. gentleman intends to introduce will provide that the owners of decked vessels and the smaller class of steamers, or any steamers under a certain class, shall be entitled, if they choose to hire a holder of a second-class certificate as an officer, a captain or a mate or a hand?

**MR. SMITH:** Yes.

**MR. BLANCHET:** Will this proposed amendment to the Pilotage Act affect the pilots below Quebec.

**MR. SMITH:** No.

*Motion agreed to.*

**MR. SMITH.**

MALT DUTY BILL.—[BILL No. 61.]

(*Mr. Laurier.*)

FIRST READING.

Resolution reported from Committee of the Whole (March 22nd) *read the first and second time and agreed to.*

**MR. LAURIER** introduced a Bill (No. 61) Respecting the duty on malt.

*Bill read the first time.*

KEEWATIN MUNICIPALITIES BILL.—  
[BILL No. 23]

(*Mr. Mills.*)

CONSIDERED IN COMMITTEE

House again *resolved* itself into Committee of the Whole on the said Bill.

(In the Committee)

On Section 21,

**MR. LANGEVIN** suggested that the ballot system, as adopted in the Province of Quebec, should be introduced into the Bill.

**MR. MILLS** said the Bill provided against frauds. The ballots were initialed and endorsed with the name of the returning officer, and it was impossible to carry them out of the poll house without being detected. The provision in the Bill was sufficient to prevent them being taken away, which was all that could be accomplished by the scheme proposed by the hon. member for Charlevoix.

**MR. LANGEVIN** said that a voter after coming out of the compartment in which he went to mark his ticket, might rush out, unperceived by the officer, with his ticket in his pocket. The result of which act might be fraud. That ticket would be marked by an outside party and given to another elector to deposit, who would return with a similar blank ticket to be marked and handed to another voter in the same manner, and so continue until the end of the election. True, the offender could be punished, but the fraud continued. Under the system adopted in Quebec this was avoided.

Mr. MILLS said the provision was in the Municipal Law of Ontario. It had been suggested that there might be an understanding between a voter and a candidate, or the agent of a candidate, that he, the voter, should profess his inability to read with a view to allowing the party to see how he marked his ballot. The agent might exercise undue influence over voters in that way, and might practically do away with the secrecy of the ballot in some instances. To prevent that undue influence or fraudulent votes being given the provision was inserted.

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

### After Recess.

On Section 96.

Mr. PLUMB said it would be wise to consider whether the children should be brought up to speak English. If we were to give them our institutions, it was necessary the children should have a thorough knowledge of the English language, unless the Government intended to have all their laws translated.

Mr. MASSON said he did not see any inconvenience in allowing these people to maintain their own language. They would be clever enough to see that it was to their advantage to learn the English tongue.

Mr. MILLS said that it would be time thrown away to educate them in any other language except the one spoken by their own people. They would learn other languages afterwards.

Mr. WHITE (North Renfrew) said the English language should be specified as one of the requisite branches to be taught in those schools. It was strange that a complex machinery should be framed for the benefit of these people, and no provision made to teach them the language in which those laws were framed.

Mr. MACKENZIE said those people would quickly learn the English language. They had to live, as a whole, among a large English community

growing around them, and, no doubt, would be quite as anxious to learn English as Englishmen would be to learn their language under similar circumstances.

Section agreed to.

On section 105,

Mr. BOWELL said that without desiring to discuss the question of separate schools, either Protestant or Catholic, he would simply state that he objected to the legislation embraced in the present Bill, as well as that in the North-West Territories Act. He had no objection to the people of Keewatin or the North-West establishing separate schools, and to having all the rights and privileges of the law in managing them, and in exempting certain classes holding different views in regard to education, but he questioned the propriety of Parliament imposing upon any section of the country a school system which that section might not desire or require.

Mr. PLUMB said he thought the Dominion Parliament had a perfect right to impose that kind of legislation upon territories under its own control, and the point raised by the hon. member for North Hastings (Mr. Bowell) was not well taken. It was quite proper that Parliament should adopt the measures contained in the Bill, because the people of Keewatin would not have the power to do it for a long period, and they should be protected in the meantime.

Section agreed to.

On Schedule C,

Mr. PLUMB said the arrangements provided in the Bill for making the ballot secret were quite unnecessary. In the United States, where the system originated, there was no secrecy. The ballots were printed and distributed by thousands to show the candidates of the parties, and the names of the candidates for whom an elector voted were fully known, unless he had pasted other names on the ballot. There was no secrecy about the voting, and never had been. He wished that to be distinctly understood, because there was an impression abroad that the system of voting in the United States was a

secret one. On the other hand, the whole of the legislation by the Dominion Parliament had been to endeavour to make the ballot secret. The system of the ballot was a harmless one, but it was unnecessary, especially in the present Bill, and it would never be carried into effect.

**MR. TUPPER:** Before we pass from Schedule C, I may say, I suppose, that the real object of this mode of action, which is somewhat new and which is not in our Election Law, is to provide against a ballot being taken out, and yet it is not carried so far as to provide means of identification as to the party by whom the vote was given. Under the Ontario law, as I understand it, every ballot is so marked that it can ultimately be discovered by scrutiny by whom the vote was cast in each case; but that is not our law.

**MR. MILLS:** The main object is to prevent an improper ballot paper being deposited in the ballot box. The initials of the returning officer are placed on the ballot paper, and, therefore, he knows that it is the genuine paper which he has given to the voter so that the ballot box cannot be stuffed.

**MR. TUPPER:** In fact, the voter cannot put in any paper other than the ballot handed him by the officer.

**MR. MILLS:** Yes.

**MR. TUPPER:** I would like to ask the hon. the First Minister whether it is proposed to amend the Ballot Act for the House of Commons in some such mode as this, by which the same fraud on the ballot, which obviously can take place without some such protection, would be entirely prevented.

**MR. MACKENZIE:** Well, we have been considering some such amendment.

**MR. PLUMB:** Will this Bill be translated into language that these people understand.

**MR. MILLS:** Undoubtedly that can be done.

**MR. MACKENZIE:** The Council can do that or not, as they please. They can take care of themselves.

*Section agreed to.*

**MR. PLUMB.**

On the motion to report the Bill,

**MR. MITCHELL** said the Bill was one of such an extraordinary character that it should not be allowed to pass without a protest being made. While its details were being described, he had not raised a single objection which would impair its efficiency or prevent its becoming as efficient a law as possible. No one on either side of the House could say that he had in any way attempted to limit the judgment of hon. gentlemen in their action in relation to the Bill, and he therefore felt that the insinuation thrown out by the hon. the First Minister was quite unwarranted and uncalled for. He wished publicly to disclaim any desire to protract the business of the House, but he did feel it his duty as a representative of the people, when a measure of such an extraordinary character was applied to a section of the country, to show that it was not wanted. The district for which this legislation was intended comprised, he was informed, about 1,500 souls altogether, of whom something like 80 were voters. Now, if such a piece of machinery was proposed to be introduced into the city of London, would not the utmost consideration and the gravest deliberation be given to it by the most careful lawyers? If it was offered to Montreal, Halifax, Toronto, St. John, Quebec or Hamilton, would it, he asked the House and the country, be adopted? He must say that the attempt of the Government to place a measure of that kind at work for 1,500 ignorant Icelanders, who had never had the opportunity of understanding the administration of municipal affairs or exercising the powers to be vested in them, was the most preposterous piece of legislation which had ever been submitted during his experience as a public man. Let anyone consider what this legislation would cost and look at what the working of the Bill would involve. He was told there was only one English-speaking man in the district. How, then, were these people to learn the language? Was the Bill to be translated into Icelandic? Were the people to have tutors to teach them, or were men to be sent from Ontario and Quebec for that purpose? He pre-



sumed none would be taken from the Maritime Provinces as tutors, because the measure was founded on the municipal institutions of Ontario. How were the people to work out the innumerable provisions of a municipal law which was based upon the experience of an independent community like that of Ontario or Quebec, or the older Provinces of this Dominion? How was it possible that these people destitute of all knowledge as to the working of such institution could judiciously work out such a piece of machinery as was contained in the Bill? But he would assume that they had intelligence, that they would be educated, that men would be sent there to inform them. Under those circumstances he asked what the country would think of the Government now in power that had created the enormous expense which would necessarily be involved and which would likely be perpetuated for the sake of governing 1,500,000 people when they should have been attached to Manitoba district? He asked how they could justify the establishment of such an elaborate piece of machinery in a wilderness like that? The Government had a majority which could carry out their design, and thus saddle the country with an immense expenditure in addition to the sums expended in relation to other matters. All, therefore, the Opposition could do was to endeavour to improve such Bills as much as possible. For his own part he had not endeavoured to embarrass the passage or perfection of the measure. His friends and himself had endeavoured to meet the wishes of those on the other side, and he must say that their representations had been frankly viewed by the hon. Minister who had charge of the Bill. He objected to it however, as entirely unnecessary. There might be some other and more simple means whereby the temporal government of that section of the country might be established until it was prepared by its increased population, by the extent of its settlement, by its civilization and by the education of its people, to obtain and carry out a great measure such as this. The House, and particularly the Opposition, should not be asked to take upon themselves the responsibility of such a

measure of legislation. They should not assume the responsibility of throwing on the country an amount of expenditure which was unwarranted, unjustified by necessity, and uncalled for by the people of Keewatin. He had felt it his duty to speak out plainly on this matter. He opposed the extravagance of such legislation and the expenditure it would necessitate, and predicted that total failure would be the result of giving to a people who did not understand our institutions, the responsibility of working out such a measure.

Bill ordered to be reported.

House resumed.

Bill reported.

#### THE QUEBEC PROVINCIAL CRISIS.

##### REMARKS.

MR. TUPPER said that, before they proceeded with the next business, he would draw the attention of the hon. the First Minister to an act which he thought the right hon. gentleman who led the Opposition (Sir John A. Macdonald) had some reason to complain of. An important document, namely, the explanation of the Lieutenant-Governor of Quebec, that day presented, was brought down by the hon. Minister and submitted to the House, and it was assumed that, being brought here by the Government, that the members of the Government had already had an opportunity of knowing the contents of that document. It was asked for by the right hon. gentleman (Sir John A. Macdonald) who wished to make himself acquainted with the contents of this extremely important document, and he had just received it when the Clerk of the House asked for it for the purpose of docketing it in the usual manner, giving the right hon. gentleman to understand that it would be returned in two minutes. Immediately afterwards, the document had been taken possession of by a Minister, he believed, for the purpose of communicating it to a portion of the Press and excluding it from another portion of the Press. He thought this was a matter which claimed the attention of the Government.

MR. MACKENZIE: I really do not think there is much ground of complaint. I asked the Chairman of the Printing Committee with regard to it, and he told me it was in the printers' hands at four o'clock, or the translator's hand, I forget which.

MR. MASSON said it was not in the printers' hands, because it had not left the translator's hands yet.

MR. BOWELL: The document has not yet been placed before the Printing Committee.

MR. SPEAKER said his attention had been called to the matter a short time ago. He believed that when the document was brought in it was laid on the table, and was taken possession of by the hon. member for Terrebonne (Mr. Masson), who handed it to the right hon. member for Kingston (Sir John A. Macdonald.) The Clerk informed the latter that it was to be printed immediately, and requested it to be handed to him for the purpose of recording it. At six o'clock the document was in the hands of the Clerk, who did not understand that the hon. member for Kingston wished to have it returned to him. On the way to his room the Clerk was met by the Minister of Inland Revenue, who asked for the document for a moment. He could scarcely refuse, and he gave the hon. gentleman the document for a few moments. Then, not finding the document returned to him at the time he expected, he sent to enquire for it, and the Minister of Inland Revenue informed the messenger that some other member had taken it. Afterwards the Clerk, in looking up the document, found it in one of the rooms, where a gentleman was making a precis of it, an hon. member of the House being present at the time. The document went immediately to the hands of the translators, who were now working hard at it with a view of getting it at once into the hands of the printers, ready for to-morrow. He did not suppose it was the intention of anyone to do wrong, and the Clerk had no intention of treating the hon. member for Kingston with any discourtesy, and had no idea at all that he wished the document handed back to him.

MR. TUPPER.

MR. TUPPER said he did not wish to be understood as complaining of any discourtesy on the part of the Clerk; he had no intention of doing so; but he did complain that a document of a public character, brought down here by the Government, should be taken out of the hands of the right hon. gentleman who led the Opposition in this House, and communicated to that part of the Press which was in accord with the opinions of the hon. Minister, before a record was made of the document. They complained that no opportunity was permitted the Opposition to become acquainted with the document before it was communicated to members of the Press.

MR. MACKENZIE said the hon. member for Cumberland (Mr. Tupper) seemed to think no one had any right to the document except the hon. member for Kingston (Sir John A. Macdonald). The hon. member for East Quebec (Mr. Laurier) had just the same rights in this House as the member for Kingston. The hon. member for East Quebec had no opportunity of seeing the document before it was brought down, and he had precisely the same right to look at the paper as the hon. member for Kingston had. The document was not taken out of the right hon. gentleman's hands by the member for Quebec East, but by the Clerk, who was not aware that it was to be returned. He (Mr. Mackenzie) was surprised that such a charge should have been brought.

MR. MASSON said he admitted that the hon. the Minister of the Interior had a perfect right to obtain the paper, but he had not the right to take it out of the hands of the Clerk, who would, otherwise, have returned it to the right hon. member for Kingston, from whom he had borrowed it for a few moments. The hon. Minister, it appeared, handed the paper over to the Press; the consequence was, if it were necessary to have it translated to-morrow the translators would be delayed a whole evening waiting for it. The reproach he had to make to the hon. the Minister of Inland Revenue was that he had taken this document and had given it to his party Press to the exclusion of that part of the Press representing the Opposition.

MR. MACKENZIE said he offered every facility to the Press to get every document, as soon as possible, which came before the House.

MR. LAURIER said he had not known the document had been in the possession of any hon. member. He had asked it from the Clerk as a matter of courtesy, and he had communicated it to the gentlemen of the Press as a matter of courtesy. He had handed it for a few moments only to the gentlemen of the Press, and thought to have had it back after a few minutes. As the time elapsed he was reminded of it by the Clerk, and immediately set to work to get it back. He could not have done more.

MANITOBA CLAIMS BILL—[BILL No. 46]

(*Mr. Mills.*)

SECOND READING.

Order for second reading read.

MR. MILLS said this Bill was very short and the object very simple. In Statute 38 Vic., chap. 53, 7th section, there was the following provision in relation to the functions of the Commissioner for the purpose of settling disputed land claims in Manitoba:—

“The Commissioners shall not receive or proceed upon any claim until each of the adverse or conflicting claimants has made before the Commissioners, an affidavit or affirmation in writing, signed by him, that such claim is just and well founded, to the best of his knowledge and belief, &c., and that he has, at least one month before the making of the affidavit or affirmation, caused to be served on the party having, or supposed to have, such adverse claim, notice in writing of his claim, and of his intention to bring the same before the said Commissioners, and of the time when it is intended to be so brought, and a copy of such notice shall be annexed to the affidavit or affirmation.”

The House would see, by this particular section, that if any party desired to prevent the Commissioners from proceeding to decide conflicting claims of the respective parties to any lands in the Province of Manitoba, all that was necessary to do was to refuse to give the requisite notice. The result was that no action could be taken, except in the case of those who volunteered to comply with the provisions of the law, and appear before the Commissioners, for the purpose of having

their respective claims determined. This Bill provided for the removal of this defect in clause 17, which stated:

“The Commissioners shall not receive or proceed upon any claim until the party by whom or on whose behalf the same is made, or if such party consists of more than one person then until some one of such persons has made and produced before the Commissioners an affidavit or affirmation in writing, signed by him, that to the best of his knowledge and belief his claims are well founded, that he is not aware of any adverse claims (if there be none), or if he is aware of any adverse claim, that he has, at least one month before the making of such affidavit, caused to be served on the party making, having or supposed to have such adverse claim, a notice in writing of his claim and of his intention to bring the same before the Commissioners at the time appointed by them for hearing the claims of the respective parties, and a copy of such notice shall be affixed to the affidavit or affirmation.”

This would put the parties in the same position as they would be in an ordinary suit. The Bill also provided that the Commissioners shall have power to enforce the attendance of witnesses, and to compel them to give evidence and so forth. There might be parties who could give evidence which would enable the Commissioners to determine in whom the title was properly vested, and it was necessary that power should be given to the Commissioners to compel such parties to give testimony. This Bill enabled the Commissioners to proceed without delay in the settlement of disputed claims.

MR. RYAN said he quite agreed with the hon. the Minister of the Interior, as to the necessity of this amendment. Last year, it had been found that several cases were not tried merely because one of the parties in each case, and the one who, probably, had no just claim to the land, was unwilling to give notice, and the trials could not be proceeded with on that account, and had to be postponed. Would the hon. the Minister inform him whether there were any Commissioners appointed to decide those claims, or whether Hon. Mr. Morris was still a Commissioner?

MR. MILLS said there were commissioners appointed, and Mr. Morris had resigned.

Bill read the second time.

House resolved itself into Committee of the Whole on said Bill.

(In the Committee).

In reply to Mr. MITCHELL,

MR. MILLS said there were two or three hundred cases in Manitoba where different parties claimed the same property, and the Bill was for the purpose of enabling the Commissioner to report on the merits of their respective claims, and decide to whom the patents should be issued. The law provided that in cases of conflicting claims, advertisements should be inserted in newspapers calling upon the parties to submit their claims to the Commissioner. A time was appointed at which the Commissioner was to consider the claims and take evidence; but from a defect in the provisions of the law, the Commissioner was unable to proceed except with the concurrence of the parties interested. The great majority of the cases were therefore postponed, and the sitting of the Commission was postponed until the 1st May. The Commissioner made his report, and three months were allowed to elapse before any decision could be given by the Department upon any case, so that the claims of any party who might not have been notified were not likely to suffer.

MR. RYAN explained that claims were registered at the Land Office, and one of the officials was present, with all documents relating to the property in question, at each sitting of the Commission. He wished to guard the interests and position of non-residents who had claims to land in that section of the country, but who had no patents. The statement made by the hon. gentleman was very likely correct. Turning to 38 Vic., cap. 53, he found the following provision:

"The Governor may, from time to time, issue a Commission under the Great Seal, to such person or persons as he shall see fit, empowering him or them, or a majority of them, to investigate such cases as may be referred to them by the Minister charged with the administration of Dominion Lands, in respect of the following matters:

"1. Any such cases as may arise under the first and second sub-sections of the thirty-second section of the Act Thirty-third Victoria, chapter 3, and

"2. Any cases of adverse or conflicting claims between different persons to lands men-

tioned in the third and fourth sub-sections of the last mentioned Act, as the same are defined by the Act passed in the present Session of Parliament, intituled: 'An Act to amend an Act respecting the appropriations of certain lands in Manitoba,' in respect of which also it has been previously established to the satisfaction of the Minister charged with the Administration of Dominion Lands, that there has been undisturbed occupancy of the same as defined as last aforesaid."

Four distinct Acts were referred to. He held that when a Minister rose to explain the meaning of a short Act—as the hon. gentlemen termed it—such as this was, he should give some explanation to the House as to the effect of it before it was passed, as was proposed, *sub silentio*. Owing to the statement made, his objection was very much lessened, but he did hold that this Act, of which this Bill was an amendment, and of which it purported to be a remedial section, was most arbitrary, and he thought that it ought not to be continued in its present shape. It gave to the Minister, and the Minister alone, the power of making reference to the Commissioner of the matters in dispute that arose, when the only tribunal competent to settle titles as to property in such a case, should be the ordinary Courts of law. It should not rest with the will of any Minister, who might act arbitrarily, to have the power to refer to a tribunal to settle and determine claims between individuals. This point had struck him since he had referred to the Acts of which this Bill was an amendment. He hoped that when the hon. gentleman again brought forward an Act or Acts amending North-West Acts, he would have the whole of these Acts at hand and explain to the House the effect and bearing of the different Acts in question.

In reply to Mr. MCCARTHY,

MR. MILLS said, in the Act, provision for notice being given of the Commissioner's intention to sit and determine claims was made. He believed that in almost every case the names of the parties concerned were filed in the office, and inserted in a newspaper. All possible notice in this respect had been given.

Bill ordered to be reported.

House resumed.

Bill reported.

MR. MILLS.

## DECKLOADS ACT AMENDMENT BILL.

(BILL No. 62.)

(Mr. Smith, Westmoreland)

FIRST READING.

House resolved itself into Committee to consider the following Resolution :

“ That it is expedient to repeal Section 23 of The Merchant Shipping Act, 1876, as respects all ships in Canadian Waters, from and after the time which may be fixed for that purpose by the proclamation of the approval and confirmation by Her Majesty in Council of the Act to be passed for effecting such repeal.”

(In the Committee.)

MR. SMITH said the object of his resolution was to authorize the introduction of a Bill to repeal a certain portion of The Merchant Shipping Act of 1876, passed in England, wherein it was provided that deck cargoes shall be measured and added to the registered tonnage of the vessel ; that the Custom House Officers enter the measurement in a log-book and give a kind of certificate to the Captain. What was specially desired to be repealed was that part of the law which applied to vessels while in Canadian waters, and he thought it would be admitted by all who had any personal knowledge of the matter that great inconvenience would be obviated thereby.

MR. MITCHELL : Will the hon. gentleman tell us the amount of revenue which the passing of this measure will deprive the country of. I may state that I approve of the measure, but I want to know by how much the revenue will be decreased.

MR. SMITH : It will affect the dues of a particular port only, not the general revenue of the country. When vessels go to England they have, under the Act of 1876, to pay duties on deck cargoes and on the registered tonnage. We cannot deny the fact that the Imperial Parliament has the right to legislate in connection with this matter, so far as vessels in their own waters are concerned, but I propose to repeal that portion of the law which applies to vessels in Canada. But I go further, because I think it unwise to make any distinction between vessels registered in Canada and others coming into our

ports, and I propose, therefore, that the law shall be general, so that all vessels may be treated alike.

MR. MITCHELL : But I want to know to what extent the revenue will be affected.

MR. SMITH : The revenue will not be affected at all. If a vessel goes into the harbour of St. John or any other harbour she has to pay dues according to her registered tonnage. These dues will, therefore, be affected, but the ordinary revenue of the country will not be influenced in any way.

MR. MITCHELL : Does the hon. gentleman mean to say that, if a vessel is registered 900 tons and a reduction of 50 tons takes place on the deck cargo, that the Treasury of the country will not be affected? The harbours of Quebec and Montreal are public institutions ; besides all vessels have to pay towards the fund for sick seamen, so that the revenue of these public funds must be affected by a diminution of tonnage.

MR. SMITH : How is it possible to tell how much the Bill will affect the trade or the tonnage dues when they are not paid now? The Imperial Parliament has sought to impose tonnage dues on vessels in our waters, which, I think, it has no right to do. I think we are quite able to regulate that matter ourselves. I have, through my Department, had a good deal of correspondence with the Imperial Parliament in reference to this subject, and I seek to have the inconvenience which has been experienced removed.

MR. MITCHELL said the hon. gentleman was begging the question altogether. No one had attempted to dispute the propriety of the resolution ; he had no objection to the legislation which the hon. gentleman sought, because he thought the Canadian Government ought to have control over everything connected with their own ships and tonnage. Indeed, he (Mr. Mitchell) had asserted that principle many years ago, when his hon. friend was less loud in expressing his opinions. He (Mr. Mitchell) stated that they derived revenue from these ships, and he gave instances: the Sick Seamen's Fund, the dock dues of

Quebec and Montreal, the river police and the pilotage perhaps, but he was not so sure of the latter; and the hon. gentleman disputed that it affected the revenue in any way. Now, the hon. gentleman admitted that it affected the revenue, but asked how much? He could easily ascertain that. If he referred to the Merchant Shipping Act, he would not find it exactly as he described it. He believed that, in the re-measurement of ships, the owners had a right to select whether they would have deck tonnage measure for the purpose of taking deck cargo or not.

MR. SMITH: The hon. gentleman is quite wrong.

MR. MITCHELL said he might be wrong, but he contended that, if a Minister came here with a proposed alteration of the law, he should be prepared to explain exactly what the alteration was. The hon. gentleman could not deny now that the change would affect the revenue.

MR. SMITH: We never collected anything at all under the Merchant Shipping Act of 1876.

MR. MITCHELL said that if they had allowed the Act to remain a dead-letter, so much the worse. He was surprised to hear this. It was a matter with which he should not have thought of charging the hon. gentleman. It was his first duty to have put this Act into force, and to have collected the revenue. It was evident to everyone that this Act was going to lessen the amount of revenue which was likely to be collected through the change in the measurement, and he thought the hon. Minister should have asked his deputy to make an approximate estimate of the difference so that the House would have some information to go upon.

MR. SMITH: He has something else to do.

MR. MITCHELL said he contended that it was the duty of the Department to furnish the House with such information, and not to tell them that the alteration did not affect the revenue, and then practically admit that it did.

MR. MITCHELL.

MR. PALMER said he was sorry to differ from his hon. friend (Mr. Mitchell), but he believed this to be a move in the right direction.

MR. MITCHELL: I say it is a move in the right direction: wherein do we differ.

Several HON. MEMBERS: Order.

MR. PALMER said it struck him that the adoption of this Imperial legislation was what they wanted in this country, and he was glad the Government had shown some attention to it in reference to this matter. They could make the dues and the measurement in any way they liked, and he could see no practical interference with the rights of the ship-owners.

MR. MITCHELL said he wished to correct his hon. friend (Mr. Palmer). It had been said that they had to send down an officer to measure the ship every time the vessel was loaded, to see what the duty was. This was not the fact. The officer did not go down for that purpose, but to see that the vessel had not more deck load than the law permitted. He (Mr. Mitchell) had stated that he approved of the resolution brought forward the other day in reference to this, and he still contended that the House had a right to know how, and to what extent, the change would affect the trust funds. The Merchant Shipping Act, section 23, laid down:

"If any ship, British or foreign, other than home-trade ships, as defined by the Merchant Shipping Act, 1854, carries as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship's registered tonnage, timber, stores or other goods, all dues payable on the ship's tonnage shall be payable as if there were added to the ship's registered tonnage the tonnage of the space occupied by such goods at the time such dues became payable. The space so occupied shall be deemed to be the space limited by the area occupied by the goods, and by straight lines enclosing a rectangular space sufficient to include the goods. The tonnage of such space shall be ascertained by an officer of the Board of Trade or of Customs, in manner directed by sub-section four of section twenty-one of the Merchant Shipping Act, 1854, and when so ascertained shall be entered by him in the ship's official log book, and also in a memorandum, which he shall deliver to the master, and the master shall, when the said dues are demanded,

produce such memorandum in like manner as if it were the certificate of registry, or, in the case of a foreign ship, the document equivalent to a certificate of registry, and, in default, shall be liable to the same penalty as if he had failed to produce the said certificate or document."

Now, to held, in relation to this matter that, while it was desirable to assimilate the legislation with that of the Imperial Government in relation to the tonnage and shipping of Canada, this Parliament should not be without control. He had never disputed for one moment that proposition; he believed in this House legislating for itself whenever it could do so without any serious interference with the interests of the Empire; and they should confine those interests to as small a space as possible, particularly when they affected their tonnage and shipping. But he held that it was the duty of his hon. friend, when he propounded a measure such as this, to tell the House how far it affected the revenue, and he should like to have an approximate statement showing to what extent it would diminish the revenue or sick seamen's fund, river police fund, and the several dock trusts throughout Canada.

Mr. SMITH (Westmoreland) said he had told his hon. friend it would not diminish the revenue a single cent. He had assumed his hon. friend was acquainted with the provisions of the Act of 1876, but now he could only infer that the hon. gentleman was not aware of that law. He talked about what an owner could do after getting the original register. This Bill had nothing to do with the register, except for the necessary dues. His hon. friend had charged him with being recreant to his duties, but that was not a question for him to decide. He had no other object than to serve the public interest. He had never taken any course inconsistent with his present one, and when the hon. member for Northumberland had introduced a Bill in 1872 relating to deckloads, he had given that Bill his entire support. That law had worked admirably and had been copied in England to a very considerable extent. He was quite prepared at all times to give all information in his power, but he thought, in

this case, the House had all the information necessary.

Mr. MITCHELL said he understood the Act of 1876. The hon. gentleman had stated this Bill only affected the dues and did not affect the revenue. Did the hon. gentleman pretend that it could affect the dues without affecting the revenue derived from these dues to support those trusts? The hon. the Minister of Marine and Fisheries had challenged his (Mr. Mitchell's) action in relation to the Act he carried with respect to deckloads in which he received that hon. gentleman's cordial support, and which the British Government had copied as being useful legislation. The hon. Minister had challenged a comparison of his administration of the Department and that during the seven years he (Mr. Mitchell) was in charge—a comparison which he had not provoked, for he never attempted to decry the administration of the hon. gentleman and never cast a slur upon any officer in the Department.

Mr. MACKENZIE rose to a question of order. The hon. member, during five minutes over which his speech had extended, had not discussed the resolution before the Committee, and it was not proper to permit that extraordinary diversion into topics having no connection with the subject under discussion.

Mr. TUPPER said it was the first time he had heard of such a position being taken by the First Minister. On two or three occasions, when the hon. member for North York (Mr. Dymond) had improperly raised questions of order, the Chairman had ruled that the hon. member for Northumberland (Mr. Mitchell) was strictly in order, and that he had not dealt with a single question which the hon. the Minister of Marine and Fisheries had not opened up, and having opened up it was right he should receive his reply in as extended a form as the hon. member desired to give it. It would become a tyranny if hon. gentlemen on the Ministerial benches were permitted to raise questions outside of that under discussion and hon. members of the Opposition were not allowed to reply.

Mr. MILLS said the hon. member for Northumberland had proceeded to answer a speech made by the hon. the Minister of Marine and Fisheries during another debate.

Mr. TUPPER said that, while such was true, the hon. Minister had reiterated his former statements.

Mr. DYMOND said he had not understood the Chairman to rule that the hon. member for Northumberland was in order. He, therefore, called upon the Chairman to rule whether that hon. member was in order or not.

Mr. MASSON said the hon. the Premier had told the Chairman he had no right to rule as he had done, and the hon. member for North York had expressed surprise at the ruling.

Mr. DYMOND said that all he desired was a ruling by the Chairman, and he would willingly bow to it.

Mr. MITCHELL said that, while he admitted that in the course of his remarks he had not spoken strictly to the question before the Chair, he had been led by the remarks of the hon. the Minister of Marine and Fisheries, to defend his action in a previous Session. He claimed he had a right to follow the hon. Minister in the reference he had made.

The CHAIRMAN: I hope the hon. member will confine himself to the resolution before the Committee.

Mr. MITCHELL said he was pointing out that the hon. Minister had chosen to refer to the subject in a manner that justified his (Mr. Mitchell's) administration of the affairs of the Department in connection with legislation on the question now before the Committee.

Mr. SMITH (Westmoreland): I did not say I undertook to justify the hon. member's administration of the Department while he was at its head. I pointed to a particular Act.

Mr. MITCHELL said he could point to more than one Act. He was endeavouring to show his (Mr. Mitchell's) justification, and that the hon. Minister had allowed an Act, which he had defended and extolled in the House, to remain a dead letter on the Statute-book.

Mr. TUPPER.

The CHAIRMAN: I must ask the hon. member to speak to the question.

Mr. MITCHELL said he had shown that his hon. friend was not consistent in carrying out the measures which the hon. gentleman himself had advocated and supported, and which had been introduced by him (Mr. Mitchell). The hon. gentleman, therefore, need take no particular credit to himself when he said that he supported the Deck Load law, which was putting money in the pockets of the hon. gentleman and his friends here, and of other ship-owners in the Dominion.

Mr. SMITH (Westmoreland): How?

Mr. MITCHELL: By lessening the dues on your ships, by increasing your profits, and by making greater returns; that is how, and it is a very practical way.

Mr. SMITH: The ship-owners did not think so.

Mr. MITCHELL said he was in favour of this measure, but the hon. gentleman had chosen to say that he would not give this House any further information. He had known gentlemen in this House say they would not give information or details and he had afterwards known them to do so, and this not very long ago either. It was quite possible, too, that when the hon. gentleman had this measure before the House again they would obtain some more information respecting it. He (Mr. Mitchell) did not desire to protract the discussion. He had said what he had to say respecting this measure; he had done so in an intelligent manner, and he had endeavoured to make himself understood, and comprehended and felt. But when the hon. gentleman, or any other hon. gentleman opposite told him that he was not going to get information regarding a matter on which he had a right to procure information, particularly when the finances of the country were affected by it, he would endeavour to get it out of him by hook or crook before the hon. gentleman could have his measure passed through. He would reserve any further remarks he had to make, unless he was again called up, until the matter came before them in another shape.



Mr. SMITH: I have simply to say that I will reserve a good many remarks which I have to make regarding this matter until a fitting occasion presents itself.

Mr. MITCHELL: All right.

Resolution *ordered* to be reported.

House *resumed*.

Resolution *reported, read the first and second times and agreed to*.

Mr. SMITH introduced a Bill (No. 62) to amend the law respecting Deck Loads.

Bill *read the first time*.

#### THE MISSING PAPERS.

Mr. SPEAKER: The Clerk wishes me to give an additional explanation. He states that when he went to Sir John A. Macdonald for the papers, the right hon. member for Kingston was not then reading the papers, and that they were lying under a Bill which had just then been brought before the House in Committee of the Whole. When he asked for the papers, the right hon. gentleman said, "Very well, hurry up the translation as fast as you can," and did not, at the time, intimate that he wanted to see the papers again.

Mr. TUPPER: I think it is right for me to say that I think the Clerk entirely misunderstood Sir John A. Macdonald, because he requested me to make the communication I did to the House with reference to the matter before he left this evening.

Mr. SPEAKER: It is but just to the Clerk to say that, at all events, this was what occurred to him at the time.

House adjourned at  
Two o'clock.

## HOUSE OF COMMONS.

Wednesday, 27th March, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

#### NORTH RIVER NAVIGATION.

##### QUESTION

Mr. HADDOW, for Mr. CHRISTIE, enquired, Whether it is the intention of the Government to recommend, in the Supplementary Estimates, the sum of \$1,000 to improve the navigation of the North River as far as St. Andrews, in order to complete the work done by the Government before Confederation, thereby securing to St. Andrews and surrounding country the advantage of uninterrupted summer navigation.

Mr. MACKENZIE: The Government have no present intention to do so. Money was expended on this small river formerly by the Local Government, or the Government of old Canada, and it has not been looked upon as a work for the general advantage of the Dominion. Enquiry will, however, be made, if there is time to do so, but at present I can only give a negative answer to the question.

#### RESIDENT JUDGE AT SOREL.

##### QUESTION.

Mr. GILL enquired, Whether it is the intention of the Government to appoint a resident Judge at Sorel, in place of Mr. Justice Loranger, who has retired; and when the appointment will be made?

Mr. LAFLAMME: I would call the attention of the hon. member to the allegation he makes in his question — "who has retired." The hon. Judge has not retired. There is, however, a conditional offer of resignation, the conditions of which are under consideration by the Government, and, as soon as the vacancy takes place, the appointment will be made.

#### TWENTY-FIVE CENT GOVERNMENT SCRIP.

##### QUESTION.

Mr. FARROW enquired, What amount of Government scrip of the denomination of 25 cents is still in

circulation, and whether it is the intention of the Government to call the balance in; if not, is it their intention to issue more?

**MR. CARTWRIGHT:** The amount of Government scrip of this denomination still in circulation is \$116,505. It is not at present the intention of the Government to call this in, and any party who desires to obtain these small fractional notes can obtain them on application to the Receiver-General or Assistant Receiver-General.

#### MAIN-À-DIEU HARBOUR.

##### QUESTION.

**MR. MACKAY** (Cape Breton) enquired, Whether the Government intends to cause the necessary survey to be made of part of the harbour of Main-à-dieu, in the county of Cape Breton, with a view to the construction of a breakwater there?

**MR. MACKENZIE:** There has been a survey made, to some extent, of this harbour, with a view to locate a breakwater at one or other of two points,—either the one on the outside of the bay, or the one a little farther to the north; but it may be necessary to make some further examination, and I will ascertain whether that is the case or not when I see the engineer, and will give directions accordingly.

#### INSURANCE LAW AMENDMENT.

##### QUESTION.

**MR. DESJARDINS** enquired, Whether it is the intention of the Government to introduce, during the present Session, such amendments to the general law respecting insurance as will permit and facilitate the amalgamation of fire insurance companies?

**MR. CARTWRIGHT:** It is not the intention of the Government to introduce legislation on this subject during the present Session.

#### THE QUEBEC PROVINCIAL CRISIS.

##### QUESTION.

**SIR JOHN A. MACDONALD** enquired, Whether any correspondence had taken place between the Lieutenant-Governor of Quebec and the Gov-

**MR. FARROW.**

ernor-General or the Government respecting the events in Quebec alluded to in the Message from His Excellency yesterday; and if so, whether the Government would bring it down; and if so, when?

**MR. MACKENZIE:** There is no correspondence, that I know of, with the Governor-General, and there is none with the Government, except, I may say, a private note which accompanied these papers.

**SIR JOHN A. MACDONALD:** Exactly.

**MR. MACKENZIE:** That was informal. There was no correspondence of any kind.

#### PAYMENTS ON LAND FOR CANAL PURPOSES.

##### MOTION FOR RETURN.

**MR. LANGEVIN** moved for a return showing:

“1st. The several sums of money paid out of the \$39,256.01, deposited in the Bank of Montreal, to pay certain parties for land taken for Canal purposes and payable on certificates of the Department of Justice; 2nd. The names of the parties to whom such several sums of money have been paid, and the dates of such several payments.”

**MR. MACKENZIE:** I think that I gave the hon. gentleman this return in the Committee of Public Accounts.

**MR. LANGEVIN:** I think that it did not cover this matter.

**MR. MACKENZIE:** I recollect that I brought it down; but no harm will be done by passing the motion.

*Motion agreed to.*

#### DUTIES COLLECTED AT ST. JOHN, N.B.

##### MOTION FOR RETURN.

**MR. DOMVILLE** moved for statement of duties collected by Customs and Inland Revenue Departments at St. John, N.B., from 1st July, 1876, to 1st January 1877, and from 1st July, 1877, to 1st January, 1878. He said that the object of this motion was to show, as far as possible, the Customs dues that had been collected at St. John, N.B., since the great fire last year. They believed that this amount was very large. The hon. the

Minister of Finance had given the excess, in this relation, over ordinary receipts as being only \$200,000; but they were led to believe that the amount was certainly \$700,000 extra, while, perhaps, one or one and a-quarter millions had been received in consequence of the occurrence of this fire. Of course, this would naturally increase the burdens of the people there, who felt that if they had to pay so large an amount into the Treasury, they should obtain something in compensation therefor. In the Estimates, \$200,000 were put down to rebuild the public buildings destroyed at St. John by the fire; but it was only natural to suppose that, even if those had been private buildings, they would have been replaced, as nearly two-thirds of the city had been rebuilt, while up to the meeting of Parliament, not a blow had been struck on the public buildings in question. It would seem that, with such a large amount collected and on hand, some steps should be taken to encourage the people to build. Those buildings should, ere this, have been begun and something should have been done. They were told that work on these buildings had been kept back for election purposes; but he, of course, did not believe this story. He wished to give the Government fair play, and he thought that the minds of the people should be disabused on this point by not having these buildings started on the eve of the election. What he found fault with was the fact, that so much stress should have been laid on the vote of \$200,000 for the erection of public buildings in the city of St. John when a very large amount had been received in this relation in the Treasury.

MR. BURPEE (St. John) said it had occurred to him that a misapprehension existed as to the amount collected at St. John in consequence of the fire. The amount mentioned by the hon. the Finance Minister in his speech was, up to the present time, a little over \$200,000 in addition to the natural increase which had taken place there as in other parts of the Dominion. The papers asked would, of course, show the exact amount, but he made this

explanation with the view of pointing out that the large amount spoken of was far in excess of the actual sum.

MR. DOMVILLE: I should like to ask the hon. the Minister of Customs if he can state the amount of increase up to the present time over that of last year?

MR. BURPEE: About \$240,000 up to the present time. The natural increase in other places has been from 8 to 10 per cent., and, no doubt, there has been an increase of a similar character in St. John.

MR. CARTWRIGHT said he wished to make a remark or two, because it seemed to him that some considerable misapprehension prevailed as to the total amount of goods imported into the Province of New Brunswick. The total amount for the year 1876-7 was very little more than \$5,000,000, and the duty on that was just \$1,000,000; this amount was not likely to be exceeded. He could not tell what the imports would amount to during the next four or five months, nor had he the means of ascertaining exactly how many months' consumption in advance might have been stored in St. John in the month of June. Speaking generally, however, he thought about \$200,000 of duty on goods would be the average amount gained. That, of course, was matter of conjecture, but the exact information would be brought forward in answer to the motion of the hon. member for King's.

MR. MACKENZIE said he was sorry the hon. member for King's should have indulged in the insinuation, which he very plainly made use of, that the Government had delayed commencing the buildings at St. John for political purposes. He could not conceive how it would benefit the Government in any way to delay the erection of the buildings, which were required in the public interest. It seemed to him that such a proceeding would have a decidedly opposite effect. He could assure the hon. member that no time was lost in ascertaining how much of the ruins could be utilized in the erection of the new buildings, and two firms of architects in the city of St.

John, were employed to prepare plans and specifications for the work. Without waiting till these plans were completed to place the preliminary work in the contract, the Government at once contracted for the work connected with the new foundations, which was now being vigorously carried on. The plans for the superstructure were not yet completed, but he believed they would be during the present or next week, and tenders would then be asked for in order to replace the buildings destroyed by the calamitous fire in the city of St. John.

MR. DOMVILLE said that before this motion was carried, he would like to make a few remarks. The hon. member for the county of St. John had that the amount up to the present date was \$200,000.

MR. BURPEE: I said about that.

MR. DOMVILLE said that the hon. the Minister of Finance had told them four or five weeks ago that the amount was \$200,000. Now, what he wished to say was this: that, in consequence of the fire in St. John, and the property consumed, the extra amount paid into the treasury would be something like \$700,000. He had the whole of the figures with him, but could not put his hand upon them at the moment. The Minister of Customs had referred to the natural increase of the trade in St. John, and partly accounted for the increase of revenue in that way, but he (Mr. Domville) did not think that was in accordance with the financial statement made by the Minister of Finance. It was admitted on all sides that trade had been bad and that the revenue was falling off. But immediately when he enquired about the extra money paid into the treasury of St. John, the House was asked to believe that part of that extra money might be attributed to the natural increase of trade in that city. That, he thought, was a mistake, and he hoped his hon. friend would withdraw the statement altogether. With regard to the insinuation referred to by the Minister of Public Works, he (Mr. Domville) made none. He said it was currently reported in the city of St. John that these works were kept back for political purposes. He stated that, while two thirds

of the city had been rebuilt, not a blow had been struck in connection with the Government buildings. He could not see how that could be accounted for on the ground that the architect could not get their plans ready, because if private individuals could build whole streets, there was no reason why the Government work should not be equally energetically pushed forward. From 1,800 to 2,000 houses had been erected by the citizens, and the Government might, therefore, have put up even a small building, four storeys high, as a savings bank. They might have done something also in the way of erecting a post-office even though the Custom-house had to be delayed. The people of St. John would have been content to do without the Custom-house for a time; it would have been some consolation to them to have seen at least one of the public buildings started. But nothing had been done, and the ruins of the Government buildings still existed in the midst of newly-erected buildings. He was willing to believe that the treasury was drained to the utmost, and that the Government could not see its way to carry out public works for the present, but he thought if \$200,000 had been collected, as was admittedly the case—that sum should have been expended at a time when there was no employment to be had and the people required some stimulus. If the new buildings were to be undertaken as soon as the plans were ready, they would not be finished this year, and he thought the Government were to blame that they had fallen short of their duty; but he attached more blame to the members for the city and county of St. John, and also the Minister of Marine and Fisheries. People could not expect much from some of the Ministers who represented them in the House, because these members were absent from duty month after month, evidently thinking that their own business was more important than that of the country. It was all very well to say to the House that the plans could not be got, but so long as some of the Ministers acted as they did, so long would it continue to be an impossibility to obtain plans. He thought it was a crying shame that

MR. MACKENZIE.

nothing had been done for New Brunswick, and he believed the real reason why the work was delayed was that which he had mentioned.

MR. BURPEE (St. John) said he rose to answer the question regarding the excessive amount of the collections at St. John. He thought that amount would spread over one and a half or two years, or perhaps longer, before the increase would be made up. Up to the present time, so far as any neglect of duty was concerned, he did not think any blame was attachable either to the Minister of Marine and Fisheries or himself. The work had been done as fast as possible, and as there was no want of labour in St. John—everybody being able to obtain employment—there was no ground for complaint in that respect. Of course, he should like to see the buildings gone on with, and as the foundations had now been laid, no time would be lost when the plans were received. He was satisfied there had been no dereliction of duty on the part of the Government.

SIR JOHN A. MACDONALD said it had been stated by the hon. the First Minister that the delay of the work would be more likely to operate against the Government than its speedy prosecution. Now, at his last election at Kingston, it was suddenly discovered that there was an immediate necessity to pull down the Market Battery, situated about twenty yards from where the election was taking place. The workmen of Kingston were told that they could get work; they were at once marched off and were soon engaged in pulling down the Market Battery and repairing the Fort, which it had been found at that particular moment requisite to do. True it was that, soon after the election was over, the zeal and interest taken in the work waxed very thin indeed, and he had no doubt that, just as that work was undertaken in Kingston for the purpose of defeating him, so the Conservative candidate for the city of St. John would find that the Government work there would be proceeded with, and that workmen—masons, carpenters and bricklayers—could have plenty of employment, at election time.

MR. MACKENZIE: That is very small.

MR. TUPPER said the House would hardly agree with the hon. the Minister of Customs that any portion of the increased revenue should be deducted in consequence of the ratio of increase in other towns and cities. Every person must, he thought, arrive at the conclusion that a great calamity like the fire at St. John would, while rendering necessary the importation of a large amount of goods to supply the necessities of the case, impair the ability of the importers. Great loss would be suffered by the trading community of St. John and those who purchased goods—so great, indeed, would be the loss that any natural increase would be prevented. On the contrary, nothing like the same amount of natural importation could be looked for, and he held that all the increase must be attributed to the great calamity which overtook that city. Throughout the country the sympathy for the sufferers was universal, and the only failing was the inability of the Government to meet the exigencies of the occasion. The very fact that the necessities of the case would involve such a large increase of the revenue of the country, made it desirable that the Government, with the means of meeting the distress thus occasioned, should have given a much larger and more liberal contribution than was made. He thought they would have met with the heartiest support of every person if they had exhibited greater liberality than they exhibited on that occasion. He wished, at that moment, to draw the attention of the Government to what he thought was a very unfair discrimination made in connection with the assistance which they furnished to the people of the United States in preference to the subjects of the Dominion. The demand for building material after the fire was very great, and it was thought desirable that those who had suffered enormous losses, and who, consequently, possessed only diminished means, should be relieved as much as possible, and it was resolved to remit the duty on bricks imported into St. John. That remission was made in order that the city might be rebuilt, and the assistance came

directly out of the public Treasury. It was very unfair, therefore, that an advantage should be given to the brick-makers of a foreign country, to the exclusion of those in Nova Scotia, who were just as able to supply the market in St. John, as those in the United States. He held that, as money had been given from the public Treasury for the purpose of assisting the sufferers in St. John, the Government should have enabled the manufacturers of Nova Scotia at least to compete with those of the United States, and he felt certain that if equally favourable terms had been afforded to the Nova Scotia brick-makers, they could have sent bricks to that city at a reduced price.

MR. BURPEE said he need not enter into what his hon. friend had stated as to the sufferings endured by the people of St. John. Their people required the sympathy, not only of the House but of the country, and he was sure they got it. With regard to the importation of bricks, he might say that he did not know whether they were carried from the brick-yards of Nova Scotia direct to St. John, but if so, the cost would be a little more, if anything, than the freight from Boston. He was told several times that, while there building of St. John was going on, bricks were purchased from all quarters—from Nova Scotia as well as from the United States—as fast as they could be obtained. He had nothing more to say on that point; but with regard to the collection of revenue he might remark that, last fall, the insurance gave a very large increase to the circulation of money. He did think that, if there was an increase at all, a greater increase would take place in the first six months, and the six months following, and the same period following that again, while for the last one month or so there would be scarcely any increase at all. The spring trade would revive, and the first six months would probably enable people to restock their warehouses.

MR. MACKENZIE said that, as regarded the carrying of bricks, the hon. gentleman must be aware that it was a very heavy article to transport.

MR. TUPPER.

MR. PALMER said he was obliged to the hon. gentleman who had brought forward this motion, because he thought it was for the benefit of the country to know how much money the people of St. John had been taxed by reason of this fire; and while he was thankful to the Government for the small help they had rendered, yet, he thought that help fell far short of what the St. John people had a right to expect. It would be in the recollection of most hon. members that, during the fire in Quebec, in 1845, or about that time, the Government of Canada went to work and borrowed money, he believed, at five per cent. interest, and loaned something like \$400,000 at three per cent. interest, to aid the city of Quebec to repair the damage caused by the fire. They all knew that the sum granted by the Government to St. John was a mere nothing to the loss which had been sustained, besides which the Government had actually charged duty upon the materials used for repairing the damage. For this the people of St. John had actually been taxed to the extent of \$300,000. He held that every dollar of this sum ought to have been returned, if not by taking the duties off the goods, in some other form.

MR. MACKENZIE: How much did the insurance companies pay?

MR. PALMER: I do not know.

MR. CARTWRIGHT: Six millions.

MR. PALMER said he did not know what the amount paid by the insurance companies was, but he did not believe there was a single man insured to the extent of his goods, without the duty.

MR. MACKENZIE: I can only say to the hon. gentleman that some of the merchants told me they were.

MR. PALMER said he was satisfied the hon. the Premier had been misinformed. The amount of the insurance was about nine millions; of that, about one million was lost, on account of the insurance companies being unable to pay. Of course, it would be difficult to get at the actual loss, but, although everybody might be more or less insured, they would lose nearly 100 per cent. above the insurance. The whole of this amount of money had been

taken up in some form, and he held that the giving of the paltry sum of \$20,000 was not at all what the people of St. John had a right to expect under the circumstances. At the very least, the Dominion of Canada ought not to have made money out of the misfortunes of the city. He held that this Government, whether they gave anything or not, never ought to have put into the coffers of the Dominion one single dollar arising out of that calamity. They might have loaned money to the city or assisted it in any way they could without loss of money, but he protested against the Dominion of Canada making money out of the misfortunes of the citizens of St. John.

Mr. PLUMB said the hon. gentleman who introduced this subject (Mr. Domville) had complained that the Government had been guilty of inexcusable delay in putting up some of the public buildings which were destroyed by the fire, also that the streets were still obstructed, and that great inconvenience was caused to the people from the want of the Government post office, Custom house, and other buildings of that kind. The hon. gentleman also complained that this was setting a poor example to those who were putting up buildings and helping to reconstruct the ill-fated city, and that if the Government had shown greater promptitude in commencing their works, the labour would have given a certain measure of relief. In connection with the claim referring to the revenue, he (Mr. Plumb) had a statement in his hand which might probably throw some light on that subject. This showed that the merchandize stock destroyed by fire was \$3,000,000.

Mr. CARTWRIGHT: How much was the insurance?

Mr. PLUMB said he was not speaking of the insurance, he was speaking of the relation of Government, not the relation of the insurance companies, to that destruction, and the duty paid on that merchandize, which would amount to something like \$500,000. The amount of duty paid in St. John, from July, 1876, to January, 1877, was \$415,798, and the amount

of duty paid from July, 1877, to January, 1878, was \$650,392, and of this last mentioned amount, \$50,275 was paid in the six months by a single man. These figures showed there had been an increase during the last half year of \$230,000 in the duties paid. The conclusion was that the duty on building materials which would be required would give the Government at least \$700,000 more than if there had not been a fire, so that we should be actually receiving that sum over our regular yearly revenue from the duties of that port. Now, Boston gave \$61,000 to assist the sufferers in the St. John fire, while this Government gave only \$20,000. He thought the latter a paltry sum to contribute to one of the principal sea-ports of this Dominion. Of course, he was perfectly aware that, however small this sum might appear to some people, there might be others who would consider it large, and he remembered that the First Minister had considered it necessary to justify the giving away of this sum. He said they had been blamed for having such a quantity of steel rails, and he justified this by saying that the Government had also given \$20,000 to the city of St. John. He (Mr. Plumb) was unable to see the connection between the two things at the time, and he was unable to see it now. But it seemed as though the Premier considered it a large sum, for he not only spoke of it in one place, but several times, during his summer excursion. He said great complaint had been made of the Government having loaned a certain quantity of rails to the contractor of the Canada Central Railway, "But," he added, "We gave \$20,000 to St. John on account of the fire."

Mr. MACKENZIE: I never said anything of the kind.

Mr. PLUMB: Well, I believe it is to that effect.

Mr. MACKENZIE: Read it.

Mr. PLUMB: At least you are reported to have said it.

Several Hon. MEMBERS: Read it.

Mr. PLUMB: I will undertake to read it. It was made use of at several meetings. On one occasion he said:

"For example, we gave the sum of \$20,000, without the immediate authority of Parliament, to alleviate the distress which followed the St. John fire. (Hear, hear, and cheers). And, I believe that, under the circumstances, we were right in doing so. I contend that we had a perfect right to lend, or allow the Canada Central Railway to use, a portion of the rails on which we had a lien."

I contended that, in this case, one is intended to justify the other.

MR. MACKENZIE: Not at all.

MR. PLUMB said then he did not understand English. The two things were put in juxtaposition in such a manner that no other conclusion could be drawn. He thought this was quite sufficient to substantiate the statement he had made. With regard to the motion now under discussion, he considered it was very unfortunate that this great delay had taken place in the execution of the Government buildings destroyed by the fire, and he did not think it fair to charge the hon. member for King's (Mr. Domville) with making improper insinuations when he said it was rumoured that the delay was made for political purposes. He showed expressly that such a thing had been stated, and not that he stated it himself. But it was, to say the least, most unfortunate that such a delay had occurred; it should have been the duty of the Government to reconstruct the Government buildings at once; they should not have waited until private enterprise had almost built up the city before they had laid a stone. He (Mr. Plumb) considered that his hon. friend was fully justified in any remarks he had made with reference to the delay.

MR. BURPEE said that, as soon as possible after the fire, all the *débris* and material was cleared away. No effort of the Government could have enabled them to get the plans, specifications and tenders asked for, to enable the buildings to be erected in the winter season. The Government would have had to wait until the spring to start building in St. John; but, he presumed, the plans would be so completed now that tenders would soon be asked for, and the buildings would be commenced as soon this spring as possible. There had been no efforts spared

MR. PLUMB.

on the part of the Government, nor had they been actuated by any political feeling, nor had any time been lost. Last fall was occupied in laying the foundations of the different buildings. On no principle could the Government be justified in remitting the duties on the imports into St. John after the fire. There had been fires in Woodstock, St. Stephen's, Quebec, and all over the Dominion, and, in every case, the sufferers would have just as much right to have the duty remitted. The principle adopted in one instance would have to be extended to every case. The goods destroyed in St. John were not all the property of the people of that city, but had been sent there from other parts of the Province. The Government subscription, \$20,000, was given immediately after the fire, before any subscription was started, and they gave substantial benefit to the people in another respect by remitting the duty on bricks. He did not think the Government could be censured in any way for anything in relation to the great disaster.

MR. BLAKE said he understood the complaint against the Government to be, first, that the amount of pecuniary assistance, directly granted out of the public Treasury, was inadequate. It must be remembered that it would be quite out of the question for the Government to interfere at all in the way of pecuniary aid, except in a case altogether exceptional in its magnitude. Unfortunately, in this country and on this continent, disastrous fires occurred very frequently; and, although great local disasters were occasioned, and an enormous disparity between the insurance and the loss existed in every instance, yet no proposal was ever made, nor could reasonably be made, in such circumstances for any relief at all. The principle upon which alone the Government could interfere was, where the disaster was so appalling that the common necessities of life were required to be supplied at once in order to prevent distress and suffering, where the calamity was of such magnitude that the charitable subscriptions of the neighbouring towns were inadequate to deal with it—then, only, could the Govern-



ment interfere. Hon. gentleman said \$20,000 was too little. What sum would be adequate to repair the financial losses of the people of St. John? Who would attempt to give it? All the Government could do was to provide, at once, for the immediate distress, want of food, clothing and shelter. It was upon that basis the Government made their subscription, which was not confined to the \$20,000 alone, but which also extended to the indirect measure of relief which had been referred to. The second ground of complaint was, that the Government did not proceed with what hon. gentlemen opposite thought sufficient diligence, in the reconstruction of the public works, and the claim was made that, because a certain amount of duties, an exaggerated amount, would be received by the Government, which would not have been received had it not been for the fire, the whole of this estimated amount was due to the people of St. John, and should have been expended at once there. He would consider first, what the position of the Government was with reference to this power to expend public money in the reconstruction of these buildings. There was a law applicable to such emergencies, but that law was wisely limited in its character. It provided only for the necessity, in the public interest, of expenditure not provided for by Parliament, to the extent to which public interest might require the money to be expended. In the repairing or reconstruction of public works which had been destroyed, the Government was at liberty to proceed upon a special warrant signed by the Governor and brought down to the House. What the hon. the Minister of Public Works proposed to the Government was, that such steps should be taken forthwith, under this clause of the law, as would be necessary to enable him to proceed with their construction in the spring of the year, as soon as a vote had been taken. He took the authority, under this clause, to proceed with the clearing away of the *débris*, with the purchase of a small portion of land necessary to effect a proper reconstruction, and with excavations and making foundations of the buildings. That was all

the Minister of Public Works could do before the Session, and all that was necessary to be done in the public interest at that time. Now, what was the reason given by hon. members for the proposed extra parliamentary action of the Government? The proposal was that the Government, without the sanction of Parliament, should have expended a very large sum on public buildings in St. John more rapidly than the public interests required, and the reason given was, that the local interests of St. John required this expenditure, because the people had been thrown into a state of distress by this fire and they required employment. If he was rightly informed, not only were the mechanics of St. John fully employed, and at high wages, immediately after this fire, in the necessary works of reconstruction, through private enterprise, but they were wholly inadequate in point of numbers to meet the demand. No less than four or five thousand were brought into St. John, besides its own population, to do the building required. That fact entirely displaced the proposition that the Government could have aided the people of St. John by proceeding to erect these buildings more rapidly. On the contrary, in attempting to build more buildings than there was labour for at the time, the Government would have increased the demand for labour, and the wages of labourers would have increased, thus causing an increase expenditure to private individuals of St. John, who were, then, suffering under difficulties and embarrassments quite sufficient, without adding any additional burden. The price the Government paid for labour at St. John was \$1.40, against \$1 in the city of Ottawa, at the same time. The local population was not sufficient to do the work required, and, therefore, there was no reason for the Government to overstep the law and impose an additional difficulty on private individuals, who were, already, sufficiently embarrassed, in order to precipitate the erection of these public buildings.

MR. PALMER said that, although fires were, unfortunately, very common, the one at St. John was of such

an extraordinary character, that it was not likely a similar one would occur in this Dominion for another two hundred years. This country had never seen a fire so destructive as that; and, therefore, if a precedent were made, he did not think there would be any danger in it, as there would not likely be an occasion to use it for two centuries. The point taken by his hon. friend was that the duties referred to could not be remitted. The point he made against the Government was, that whether these duties could be remitted or not, the people of St. John had a right to ask that no money should be made out of their misfortune. The people of Canada would have said that this money, whatever the amount was, should not have been taken from the people of St. John; and if the Government were obliged to take it, by law, they should have extended relief to St. John in a greater measure. In other words, the Government should have extended to the people of St. John relief equal to the amount of the excess of revenue they received. The people of Canada were spirited enough to be unwilling to make money out of the misfortunes of the people of St. John. If there was a case in which a man had lost five million dollars' worth of goods, on which he had paid duty the day before, and wanted to replace them, it would be no more than just for the Government to refund those duties. The same principle should extend to the sufferers by the St. John fire. He did not pretend to say it could be carried out in the case of every individual. But the amount ought in some way to be refunded to the community, in a manner somewhat similar to that adopted with regard to the Quebec fire, which could not be compared in extent to this one. An immense number of new buildings had been put up since the fire, which accounted for the great amount of revenue collected there. Every man who erected a house had to pay the duty on the materials used, which had been already paid on the house that had been burnt down; so that in reality he was taxed on account of his misfortune. The Government should have

MR. PALMER.

met this matter in a somewhat similar form to the one adopted in Quebec. They should have guaranteed the money to build or loaned it on real or personal estate, so that the people could have built at low rates of interest. There was a good deal in what the hon. member for South Bruce had said, that since the fire, it had been difficult to get labour, and that the price of labour had been increased, and the increased rate fell heavily on those who were re-building their houses. With reference to the Government buildings, if the Government wanted to use them during the election, let them do so. He was prepared to meet them. He did not see the difficulty pointed out by the hon. member for South Bruce, that the Government could not have acted without the assent of Parliament. The Government had a perfect right to advance in a matter like that, which could not be provided for by Parliament. The Government would be of no use unless they could take the responsibility of acting in the interim and then appeal to Parliament. He thought some of those buildings could have been erected at an earlier date. If the object of the Government was to run an election on the head of them, let them do so; he had too much confidence in the good sense and intelligence of the people to dread the result, or to believe it would have much effect, one way or the other. The hon. member for King's knew that, shortly after the great fire, a great number of people who had lost their houses were looking about for means to rebuild. It was thought a society could have been established by which mortgages could have been given on property, and guaranteed by the Government to some extent, by which money could have been raised. If the Government had come forward, they could have assisted materially in that manner.

MR. CARTWRIGHT said the Government were themselves very heavy losers by the fire at St. John. He believed it would cost from \$500,000 to \$600,000 to replace the buildings which had been destroyed, and he did not think they would receive any more, if, indeed, they received as large, an

amount of duties from the goods which had been destroyed. As to the other proposition, which was practically that it would have been proper for the Government to have returned the amount of duties on goods destroyed, if they could have ascertained it, there would have been very great difficulty in carrying out such a proposition practically. The parties who would have been entitled to receive the refund of duties would have been the insurance companies, which had lost the money, not the merchants, who had received their insurance money. In the next place, although it might be true that a large portion of those goods were owned by merchants in St. John, it must be remembered that all those duties were duties practically collected by the merchants on account of goods distributed all over New Brunswick and a considerable portion of Nova Scotia; and a very large portion of those goods were in bond, and on those the Government collected no duty, but remitted the duty. Very considerable claims had come up since the St. John catastrophe for the remission of the duties which would otherwise have been collected, and those in all cases had been granted by the Government. If three million dollars' worth of goods had been held in stock, as the hon. member for St. John (Mr. Palmer) had remarked, a very large proportion would have been in bond. If it were desired to make a return of the money lost, the greater part must go, not into the pockets of the sufferers at St. John, but, of necessity, into the pockets of the insurance companies, who were really losers to an enormous extent by that calamity.

Mr. DOMVILLE said he took issue with the statement of the hon. the Finance Minister, that the money would have to pass into the hands of the insurance companies. The people of St. John lost by that fire goods to the value of from \$25,000,000 to \$35,000,000.

Mr. CARTWRIGHT: That is four times the total annual importations of the Province of New Brunswick.

Mr. DOMVILLE said that, while he mentioned goods he was about to add property, when he was inter-

raptured. From twenty-five to thirty-five million dollars worth of property had been destroyed, a large portion of which, such as furniture, clothing and knick-knacks, would have to be replaced. The hon. the Minister of Finance had argued that not much was doing at St. John when the fire occurred, while the hon. the Minister of Customs mentioned that an extensive business was being prosecuted, and both hon. gentlemen could not be correct in their statements. The people of St. John should have some consideration shown them, and it was not too late to manifest it. If they had paid duties which they should not have paid, the Government should take measures to remit them, and should also endeavour to ascertain who had goods in bond, and return duties which had been twice paid.

*Motion agreed to.*

#### GOVERNMENT PURCHASE OF RAILWAY STORES.

##### MOTION FOR STATEMENT.

Mr. DE ST. GEORGES moved for a statement showing:—the average price paid each year since 1867, for locomotives, cars, iron and steel rails, fish-plates, bolts and iron in general, wood and all furnishings purchased by the Government;—also the quantity bought each year since 1867.

*Motion agreed to.*

#### GOVERNMENT CONTRACTS SINCE 1867.

##### MOTION FOR STATEMENT.

Mr. DE ST. GEORGES moved for a statement, showing all contracts given since 1867, including those of the Intercolonial Railway, those awarded to the lowest tender, and those given to others; the difference between the price given and that stated in the tender, and the reasons why the contract was not awarded to the lowest tender; and all Orders in Council relating to the same.

*Motion agreed to.*

#### CLAIMS ON INTERCOLONIAL RAILWAY.

##### MOTION FOR CORRESPONDENCE.

Mr. MITCHELL moved for copies of correspondence between Mrs. Edward Murphy, of Barnaby River,

Miramichi, N.B., and officers of the Intercolonial Railway, in relation to the killing of a cow on said railway; also copies of all evidence and reports in relation to the same. He said he hoped the correspondence would be brought down at as early a day as possible.

**MR. MACKENZIE:** There is no correspondence in the Department; it will, however, be obtained from the railway officers and submitted as soon as possible.

**MR. MITCHELL:** It would be more satisfactory if the damages were paid.

**MR. MACKENZIE:** If the damages were caused by the Government, they will be paid.

**MR. MITCHELL:** As the damages were caused by the Government, I am satisfied with the explanation, and they will, of course, be paid.

*Motion agreed to.*

#### CUSTOM ENTRIES OF RAILWAY ROLLING STOCK.

##### MOTION FOR STATEMENT.

**MR. MASSON, for MR. BLANCHET,** moved for a statement of the names of Railway Companies which entered in bond, since the 1st July, 1867, railway locomotives, engines, cars and other railway rolling stock, the date of such entry, a statement of the articles so entered, and the date of payment of Custom duties;—Also the names of such companies whose said locomotives, engines, cars and other rolling stock were ordered to be sold by the Minister of Customs.

*Motion agreed to.*

#### FISHING IN THE RIVERS RIMOUSKI AND METIS.

##### MOTION FOR CORRESPONDENCE.

**MR. Fiset** moved for copy of the correspondence between the Government and the Seigniors of Rimouski and of Metis, respecting their right of fishing in the Rivers Rimouski and Metis.

**MR. SMITH (Westmoreland):** I think that the case with regard to the River Rimouski, is practically settled.

**MR. MITCHELL.**

A good deal of consideration has been given to this matter, both by my Department and that of the Minister of Justice; but, with regard to the other case, no decision has been arrived at. It is still pending. I hope, however, in the course of a few days, to have the matter settled; and, in the meantime, I would ask the hon. gentleman not to press for the papers.

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

#### MUIR POST OFFICE.

##### MOTION FOR CORRESPONDENCE.

**MR. BOWELL, for MR. MACMILLAN,** moved for correspondence in relation to closing Muir Post Office; correspondence in relation to dismissal of Charles Lilley as Postmaster in London East, and the appointment of Mr. Mills as Postmaster in his stead; also the cause of the change of location of Post Office from original to present locality.

*Motion agreed to.*

#### THE MANITOBA TROUBLES.

##### MOTION FOR CORRESPONDENCE.

**MR. BOWELL, for Mr. SCHULTZ,** moved for copies of all correspondence between the Hudson Bay Company and the Dominion Government relative to alleged losses at the Red River Settlement connected with the insurrection of 1869-70.

**MR. MACKENZIE** said that many claims for losses had been presented; and, perhaps the hon. member for Marquette would know precisely what was meant by the motion.

**MR. RYAN** said, from conversation with the hon. member for Lisar (Mr. Schultz), he knew that it was the hon. gentleman's intention to enquire respecting the losses of the Hudson Bay Company during the rebellion of 1869. He had also heard the hon. gentleman say that his attention was more particularly drawn to this matter, than otherwise would have been the case, owing to a statement made by the Governor of the Company to the Board of Directors at the last annual meeting, viz.: that although the dividend for the year was

not satisfactory, yet he had very good hope that a more satisfactory dividend would be declared for the coming year, inasmuch as they were in correspondence with the Dominion Government relative to the rebellion losses, and they had good hope of having these losses adjusted.

Motion agreed to.

#### PARIS EXHIBITION EXPENSES.

##### MOTION FOR RETURN.

MR. POPE (Compton) moved for a return giving statement in detail of all moneys paid or obligations incurred to the 1st of January last, in connection with the Paris Exhibition, showing to whom the money was paid, or is to be paid, and for what service.

Motion agreed to.

#### MONTREAL CITY AND DISTRICT SAVINGS BANK

##### MOTION FOR RETURN.

MR. TASCHEREAU moved for an Address to the Governor-General praying him to apply the 9th sub-section of Section 6, Chap. 7, 34 Victoria, in order to obtain from the City and District Savings Bank of Montreal, and to cause to be laid before this House, when so obtained :

1st. A statement showing in detail the position of the Bank at the period of its re-organization in 1871, viz: all the amounts due to the Bank; the names of parties by whom due; the collaterals held as security; the rates at which said collaterals were taken, and their actual value at the time they were taken.

2nd. A statement in detail of other assets possessed by the Bank at the time of its re-organization.

3rd. A statement showing how the Directors fixed at \$180,000 the surplus or poor Fund, and by what process they arrived at that figure, and if said surplus was limited to aforesaid amount.

4th. A statement showing how the capital stock was taken up, the names of shareholders, and if said stock was subscribed before or after the day and hour when the books should have been opened according to law.

5th. The sums paid by the shareholders upon their subscription of stock since 1871, and date of re-organization.

6th. A statement showing which of the shareholders paid in cash; those that did not; and how they did pay; if by promissory notes, and if so, when discounted and whether retired at maturity.

7th. A statement in detail of all the loans made by the Bank since its re-organization, to whom made and upon what collaterals; at what price such collaterals were taken, and what interest was charged on said loans.

8th. A statement in detail of all the losses made by the Bank and what portion of said losses were written off, giving names of parties and the collaterals held by the Bank.

9th. A statement of all monies now due to the Bank, by whom and how secured, giving the collaterals taken, at what rate and their present cash value; and also other assets presently possessed by the Bank.

10th. A statement of all the dealings the Bank has had with parties who have become insolvent prior to the paying up of their loans to the Bank.

11th. A statement showing what advances the Bank made upon American securities, names of parties, the particular stocks, the prices at which they were taken and how the loans were settled.

12th. A statement of the lowest quotation at which the various stocks taken by the Bank fell to during the currency of the loans advanced on them.

13th. A statement of the names of the Directors, if any, who since the re-organization, borrowed from the Bank, the enumeration of the securities upon which said loans were effected, the rate of interest charged and how their redemption took place; also the dates at which said loans were made and repaid.

14th. A statement of the dividends paid each year since 1871, date of re-organization.

15th. A list of the present Directors and what amount of stock they respectively hold in the Bank.

16th. A list of the present shareholders and what amount of stock they respectively hold in the Bank.

He said he wished to impress on the House the fact that, in making this motion, he was only guided by motives to secure the public good. Every one in the community, in times of commercial depression, watched our monetary institutions to see whether they adhered strictly, not only to the conditions of their charter, but also to sound business-principles, and whether they avoided all such transactions as might be of a character tending to speculation. The large number of failures of savings banks under private control, which had lately occurred in the United States, and the difficulty in which the depositors in all similar institutions were constantly placed in the direction of securing sound information with respect to their general standing, made

it the duty of Parliament to interfere whenever the rule had been transgressed, imperilling the savings of the poor. The City and District Savings Bank of Montreal was, he was happy to say, from the date of its foundation to the date of its re-organization in 1871, a well managed and deservedly prosperous institution. Its directorate was composed of the best elements that could be secured. Prudence and shrewdness were the distinctive qualities of its members. During this period, which embraced fifteen years, an uninterrupted series of fortunate and prosperous transactions were the result of the wise policy followed, which excluded all tendency to speculation. In 1871, the Directors, in accordance with the terms of Sec. 6 of the Ontario and Quebec Savings Bank Act, resolved to transfer the assets of the bank to the Government, as they then stood, and to continue the business of the bank under a new charter. The manner in which the stock was subscribed, as indicated by the charter, was at the time strongly commented upon, and had since been the subject of many re-primations. It was done contrary to the established rules of sound banking; it was really of very doubtful security to the depositors, and it inflicted a severe blow upon the public confidence in the institution. Ten per cent. of the voluntarily subscribed capital of two millions was then paid in, and to this day the profits yielded by the bank, reaching four or five per cent., paid in each year to the poor had increased, and the deposits had exceeded the amount of stock subscribed by the above-mentioned directors. A more equivocal transaction could scarcely be imagined, and it had been, he was sorry to say, very severely criticised by the people of Montreal. It was not his intention to dwell at length on this phase of the existence of the bank; but, it stood to reason, he believed, that in thus appropriating to themselves the good will of the bank, and, as was currently stated, a large portion of its accumulated profits, under the cover of its charter, the above-mentioned directors not only failed to carry out the object of its founders and first patrons, but also

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acted in violation of all established fiscal rules. If the poor who came there to deposit their hard-earned savings were not legitimately entitled to all the profits accruing to the bank, either with regard to the charitable institutions of Montreal or themselves as depositors, the revenue of the country should, at least, have benefited by it. The establishment of the bank, or the principle upon which the above-mentioned clause of the law was based, was a direct spoliation of the public revenue; and the institution itself changed its character, becoming a private banking house, and ceasing any longer to be a savings bank. This was only one of the many incidental features attending the reorganization of this bank. Encouraged by immunity, and having, by the bold attempt, successfully made, secured the good will, and, as he had already said, as was currently reported, a large portion of the accumulated profits, which resulted from many years of safe management, increased by the unprecedented profits and dividends that resulted from careful administration, the new Board of Directors launched into a highly speculative policy, and effected loans on inflated and, in many cases, dangerous security.

MR. MASSON: Does the hon. gentleman wish to have these papers brought down, or does he desire, before this is done, to decry the credit of one of our banking institutions?

MR. TASCHEREAU: I am only explaining why I make this motion, and I am perfectly in order in doing so.

MR. MASSON: This is a downright shame.

MR. TASCHEREAU said that American stocks were freely taken by the bank as collateral securities; syndicates or cliques were encouraged, and the Directors encouraged this policy, which ensured large profits at great risk to the bank.

MR. DEVLIN said that, as the representative of Montreal Centre, and as one who was closely identified with a very large number of the depositors in this institution, he respectively submitted to the House and the hon. mem-

ber for Montmagny that he ought to wait until the papers were brought down before making these observations, because he was satisfied that no one would regret more than the hon. gentleman the consequences, if the effect of his speech should be to cause a run upon the bank to-morrow or the next day, which would prove very disastrous to those who had perhaps their all locked up in it at the present moment. He was bound to say that, while he believed there was good ground for an investigation into certain matters connected with this institution, a question which would no doubt receive the attention of the House when the House was placed in possession of information that would authorize it to investigate the management of it, he also held that they owed something to this institution and to those who were its depositors. It was a serious thing to charge an institution of this kind with gross mismanagement, because such a charge had a tendency to shake public confidence in its soundness. Speaking, therefore, in the interests—not of the directors or those who controlled the institution—but in the interests of the depositors, he would most earnestly ask his hon. friend to content himself with asking for the papers he desired, in the meantime. If this was agreed to, he (Mr. Devlin) could assure the hon. gentleman, that when these papers were brought down, he would discharge his humble part in the investigation, and use no effort to screen the directors if there was any evidence of wrongdoing on their part. But until that evidence was before the House, he thought nothing further should be said. Let it be borne in mind that they were dealing with a public institution in which were deposited the savings of thousands of the poor and industrial classes of Montreal. Nothing should be done which would have the effect of destroying their confidence in that institution or impair its credit, thus placing the savings of these people in jeopardy. He thought they would be doing wrong if they took such a course. All they wanted were the papers; these must be brought down, and brought down quickly, so that the House might have an opportunity of

dealing with this important question. He had to apologize for this interruption, but coming direct from the city of Montreal, he thought it his duty to bring this matter before the House because there was no hon. member upon whom the obligation rightly rested as upon himself. He was perhaps specially the representative of that large class of depositors who placed their money in that institution, and it would be clearly his duty to protect them if he found their interests were in danger.

Mr. TASCHEREAU said he was afraid that, in moving for so many returns, he must justify himself by relating to the House the facts which were now before the people of Montreal. He was merely stating what was the subject of general conversation, and what had been proved before the courts of justice in Montreal, quite recently. He had merely stated that the City and District Savings Bank of Montreal had forgotten its peculiar, distinctive policy, and he had called attention to the enormous losses the bank had incurred during the year 1876-7. If, however, the hon. member for Montreal Centre felt that it would not be desirable to make any remarks regarding the bank in the meantime, he would defer to his wishes and content himself with making the motion in the hands of Mr. Speaker.

Mr. OUIMET said that, as one who had taken some interest in the matter, which he believed was a very important one, he wished to make a remark regarding it. For his own part, he had no objection to the papers asked for being submitted to the House and investigated by all the hon. gentlemen present, but he thought the hon. member for Montreal Centre should be thanked for having stopped the reading of the printed speech by the hon. member for Montmagny. That printed speech was not new to himself or to other hon. members of the House, or to a great many parties even in the city of Montreal.

Mr. TASCHEREAU : I stopped my remarks because the hon. member for Montreal Centre thought I should not go on with my speech now.

Mr. HOLTON said he wished to make a suggestion, which he thought

was obviously in the interest of the public. He took a very deep interest in the soundness of the bank, and he believed, with the hon. member for Montreal Centre, that all discussion relative to the position of that institution should be postponed until such of the papers as the hon. the Minister of Finance thought it his duty in order to be brought down, were before the House. He thought the institution in question had nothing whatever to fear, so far as its ability to meet its obligations to the public was concerned. He had not been connected with it personally for about six years—though he had previously been connected with it—and his conviction was that these papers should be brought down and placed on the table of the House before the discussion was continued. He thought the hon. member for Montmagny, instead of being subjected to reproach, was entitled to credit for adopting so promptly as he did the suggestion of his hon. friend from Montreal Centre, that further remarks at present might provoke a discussion which would be untimely and injurious to the public interest.

MR. MASSON: His second thought was better than his first.

MR. OUMET said he was not going to answer the whole speech—though he knew all about it—but only the part read to the House. More especially did he wish to answer that part because, though he was not sent there in the interests of the bank, he wished to state that the bank had nothing to conceal from the House or the public, and that its directors were ready to investigate its affairs in the sight of the whole Dominion. He held in his hand the whole speech that was to have been made before the House by the hon. member for Montmagny—in fact, it was known ten days previously in Montreal. It was well to know that the step taken by the hon. gentleman had been at the instigation of some parties in Montreal who were litigating with the Montreal City and District Savings Bank. It was said that the bank had lost something. In fact, it was well known that it had lost a good deal in transactions with certain parties in Montreal, more especially with some persons connected

with the City Passenger Railway, who had obtained some loans from the bank, while they gave as security stocks nominally amounting to over \$200,000. It was discovered, however, by the public of Montreal—and that was not the first discovery of the kind made for some years—that that stock, which was quoted at 240 was only worth about 70 per cent. Well, the bank had lost a large amount, which had been, for the most part, covered by new calls on shareholders who were well able to pay any calls that might be made on them, in order to secure the deposits in the bank. These shareholders were not numerous, but their means were equal to any emergency that might arise. Considering that they had been defrauded, especially by the late directors of the City Passenger Railway, the directors of the bank entered an action against the latter, as he had said, in order that they might be reimbursed. This action was now pending before the courts of Montreal, the amount claimed being over \$100,000, that was the amount lost by the bank in consequence of the false representations made by the late directors of the City Passenger Railway. A similar suit was pending on the part of the Montreal Bank.

MR. HOLTON said he was surprised that a gentleman having the interests of the bank at heart should persist in an argument which must provoke discussion and bring on a discussion which the House was anxious to avoid.

MR. MASSON agreed with the hon. gentleman in thinking that the matter should be dropped at present. It was right that some explanation should be made. A good deal had now been said on the matter and he trusted, therefore, that the hon. member for Laval (Mr. Ouimet) would allow the subject to pass in the meantime.

MR. TASCHIEREAU said the hon. member for Laval (Mr. Ouimet) had referred to his speech. He did not know whether the hon. member had seen any memoranda of his with reference to the Montreal City and District Savings Bank, but he could say for himself that he had never shown his notes to the hon. gentleman. He did not read his speech, but only referred

MR. HOLTON.



to his notes with regard to figures. His speech was not written, and if the hon. gentleman had seen notes of his speech it was more than he had himself.

MR. OUIMET said that hon. members might be of opinion that the credit of the bank had been fully vindicated by the declaration of the hon. member for Chateauguay, and he himself was of that opinion. The hon. members for Chateauguay and Montreal Centre must be in a much better position to speak on the subject than the hon. member for Montmagny (Mr. Taschereau) or other hon. members from Ontario, or from remoter places of this Dominion. He (Mr. Ouimet) was perfectly satisfied of the solvency of the bank, but in his humble opinion it might be of some interest to the members of this House to know how private parties could come before this House and use, for private purposes, the authority which statements made by hon. members in the House must have before the public.

MR. SPEAKER: I think the hon. gentleman goes a little too far. He has made a charge against the hon. member for Montmagny of having been employed by outside parties to make charges here.

MR. OUIMET said he did not impute to the hon. member bad motives in bringing up this motion, but when an hon. member knew outside facts that might justify a certain way of thinking, he was justified in stating those facts, although not with the intention of charging the hon. member with bad motives. If he had imputed such motives to the hon. member he would at once apologize, in order to show that such an intention was never in his mind. He (Mr. Ouimet) repeated what he said, that, according to the knowledge he had of the transaction, the hon. member for Montmagny had been imposed upon by private parties outside of this House. He believed that insinuations brought before the House were sufficient to impugn the credit of the bank, and it was, therefore, necessary to put the public in possession of the facts of the case. According to his own knowledge the attack made from outside was only to

force the bank to come to a settlement with those people belonging to the Montreal City Passenger Railway.

MR. GIBBS (South Ontario) said that, while he agreed with the hon. members for Chateauguay and Montreal Centre as to the impropriety of discussing matters in reference to the bank so as to damage it in any way before the House, at the same time he could not but think the speech made by the hon. member for Montmagny (Mr. Taschereau) was in the direction of injuring the bank, and it was necessary that some one should speak in reply, so far, at any rate, as that hon. gentleman had presented his case to the House. The remarks of the hon. member for Laval (Mr. Ouimet) were of a reassuring character. He had stated to this House that the bank did not fear any investigation; that the directors were quite willing to have its affairs examined by this House and exposed to the whole country; that its position was such as must commend it to the confidence of the country; that the parties who had taken the management in hand, and were stockholders of the bank, were parties of such reputed wealth that, although the bank might have suffered loss of capital, yet they would be able to repair by the infusion of new capital, any loss the bank might have suffered. So far as the speech of the hon. member for Laval went, it was in the right direction.

MR. CARTWRIGHT: I think it will be obvious to every hon. member of this House who will take the trouble to read the motion which my hon. friend for Montmagny (Mr. Taschereau) has moved, that to grant the various propositions which he makes would be to subject this bank to an inquisitorial investigation to which no bank has ever been subjected, and which would afford a most dangerous and mischievous precedent. I am bound to say I cannot recommend the House to grant more than a very few items contained in this motion, as, unfortunately, some degree of suspicion might attach in the minds of some persons as to the solvency of the bank. I may remark that, as far as it is possible to judge, the steps which were

taken in constituting this bank some seven years ago, appear to have imparted to it a very great deal more of strength and stability than it previously possessed. Under the late form of government, nobody was responsible, I believe, for one single dollar; under the present incorporation, a capital of two million dollars has been subscribed, most of which, I believe, is held by persons of considerable wealth, and a very considerable amount of which, about \$600,000 only have been paid up, leaving, therefore, in addition to all the other assets possessed by the bank, the sum of \$1,400,000 to provide for any depreciation or injury to their securities. I believe, also, that it is a rule on which the operations of the bank were conducted, that no advance be made to any one unless substantial or collateral security be given. Now, under these circumstances, although it is true that a very considerable power is granted to Government to demand all kinds of returns from the directors of this bank, I must say that I should require very strong cause to be shown before I should be brought to exercise the inquisitorial power sought to be exercised by this motion. We are asked, in the very first clause of the motion, to obtain all the amounts due to the bank in 1871, together with the names of the parties by whom due, their collaterals held as security, the rates at which the collaterals were taken, and their actual value at the time. Well, it is possible that information might be obtained, I suppose; but, at the same time, I must say I know of no case in which the affairs of a bank, having assets to the extent of four and a-half millions, have been subjected to a scrutiny like this. As to the second, third, fourth, fifth, and also the sixth clause, as far as my memory serves me, all this information was laid before the Committee of Banking and Commerce in 1871, at the time the bank was reorganized, and it may be this information can be supplied without any particular inconvenience. On these points, therefore, I will reserve judgment for the moment; but in the seventh and eighth clauses it is asked that a detailed statement of all loans made by the bank since its reorganization, together with

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the names of the parties to the collaterals, with the price of the collaterals and the interest on them. I must say that, again, is entirely without precedent. I think the general rule we can afford to lay down in these cases is, that this bank should be called upon to give the information as to its actual position that any other bank is called upon to give under the Banking Act. If not sufficiently given in the *Gazette*, I should feel it my duty to obtain this information, and it might be that a great number of depositors, who are supposed to be persons of the poorer classes of the community, might wish for some extended information; and this might be obtained and required, although not to the extent demanded here. Neither do I think that the statements asked for in clauses nine, ten, eleven and twelve, should be granted in the shape, at any rate, that they are now moved for. As to clause thirteen, I presume that a statement, showing the amount of money owed by the Directors at present, would sufficiently meet the wishes of the House. As to clauses fourteen, fifteen and sixteen, those cover the ordinary items of information granted with respect to other banks, and, therefore, can fairly be called for if desired. On the whole, I think that I would recommend my hon. friend, for the present, to withdraw his motion. If he should persist in it, I should feel it my duty to propose that half of the clauses, at any rate, should be struck out, and that one or two of the others should be considerably modified. Should he require further information than that already given in the published *Gazette* returns, which would appear to be of a kind which persons having an interest in it might fairly claim, it might be a question to consider how far that could be granted; but knowing, as we all do, how utterly disastrous it would be to the business of the bank, which is necessarily conducted with more or less secrecy, that the names of all persons with whom they are carrying on business, the exact losses, or even all the securities, though it may be possible, should be published to the world, I think the House, and particularly those members who are experienced in banking transactions, will agree it

would be a precedent of the most dangerous nature to allow the motion to pass in its present state. I do say that, for the private transactions of a great number of persons, who have nothing whatever to do with the quarrels of parties outside of the House, to be brought into public light, might lead to untold mischief, and might have the result of gravely injuring the standing of the bank.

SIR JOHN A. MACDONALD said that, if the statements asked for came within the Act, they must be received, if not, they were illegal.

MR. CARTWRIGHT said a very special power was granted, no doubt, to the Minister of Finance, with respect to this class of bank, under the 9th sub-section of section 6th,\* but it was a power to be exercised with great care.

SIR JOHN A. MACDONALD said the 6th section of the Act laid it down that returns should be made by banks to the Government or Parliament, including the list of stockholders. The first thing to be understood was whether there was a clause of this kind in the charter, by which certain information was to be given. If it was, then, of course, this information asked for should be given under the terms of the charter. If the bank was not obliged to make any of these returns asked for in this motion, by the charter, this House could not require it to do so. Either these returns asked for would come within the charter, or they would not.

MR. HOLTON said he was quite sure this bank would furnish any information and details which the Finance Minister might think it was desirable in the public interest to call upon them to supply. As to the charter, he (Mr. Holton) was connected with the bank at the time of its reorganization, and he was certain it was the counterpart of the Act, so far as the returns were concerned.

MR. TASCHEREAU said he thought it was desirable that this debate should be adjourned, in order that these amendments should be put into writing and considered by the House.

MR. MACKENZIE said the House might tacitly agree to allow the motion to pass, as arranged by the Finance Minister, if the hon. gentleman (Mr. Taschereau) would agree to that.

MR. DEVLIN : It is merely putting it into form, that is all.

MR. CARTWRIGHT said he believed the object of the Act 30 Vic., cap. 7, was to limit the right of the Government to require information simply of the subjects specially specified on the charter. He was a member of the Banking and Commerce Committee in 1871, and remembered that point was rather fully discussed. It might be found that the hon. member for Kingston (Sir John A. Macdonald) was right in saying that the right of the Government to require information was strictly limited, but that was not the intention of the Committee at the time it passed. This was an Act for Savings Banks, and not the general Act, and the wording of it would, he believed, give a right to the ordinary returns.

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

### After Recess.

G. B. BURLAND LETTERS PATENT BILL.

[BILL No. 36.]

(*Mr. Casgrain.*)

BILL WITHDRAWN.

Order for second reading read.

MR. MACKENZIE said he had to ask his hon. friend to withdraw this Bill. It was one for a simple extension of patent, the patentee having already enjoyed his full term under the law. He had looked at the memorandum which his hon. friend had been good enough to give him, and there was nothing in it to justify the House in allowing the law to be violated in extending the patent. It was only in the case where a doubt existed as to whether the party might have had the full extent of time under the terms of the law, whether he might have been prevented by accident or mistake from enjoying the benefit of the full term,

that the Bill could go before a Committee to determine whether there was really any reason why further indulgence should not be given. In this case there was absolutely nothing except the assertion of the patentee that he believed it to be in the public interest that his patent should be continued in himself. He (Mr. Mackenzie) did not think it was in the public interest. The patentee had obtained the full award which the law allowed, and it was not desirable to introduce a system to allow in special cases an extension of the time which the law contemplated. There had been no instance of such a Bill obtaining the sanction of Parliament since the organization of the Dominion. There was nothing in it which would justify them in setting aside the wise provisions of the law. If it were allowed to pass, a dangerous precedent would be established which would apply to every possible case; therefore, he must ask the hon. gentleman to withdraw it.

MR. CASGRAIN said he thought this Bill might have been entitled to go to a Committee, at least, under the law which guided the House in these matters. He had been struck at first with the same idea which had been stated by the hon. the Premier, that this Bill ought not to obtain a second reading. But, as there was a matter of fact involved in the preamble of the Bill, he thought that it might have had a chance of going before the Committee, and he desired to lay before the House the reasons which induced him to introduce this Bill. He concurred entirely with the principle asserted by the hon. the Premier, that patents in general ought not to be extended. But, in this particular case, he was of opinion that a Bill of this description, far from being against the interests of the public, by extending the right of the patentee, was, on the contrary, a protection to the public, and that was the only ground upon which he thought that the Bill might be brought before the House and carried. As to the right of extending the power of a patent, this was recognized not only in Canadian legislation, but had been recognized also, and was recognized to-day, in Great

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Britain and in France. From a work which he had before him on letters patent, he could quote a number of precedents which took place, even in England, in which patentees had been granted an extension of the time allowed for their patents. It was well known that in England to-day the power was conferred on the Judicial Committee of the Privy Council, exactly as Parliament would do in the same case. He would cite, in order to maintain his views, a number of cases which had occurred, all of which were founded on public utility. And in this very case, he thought the public interests would be advanced in keeping this patent within the control of a private individual, and in order to prevent the counterfeiting of bank notes an extension of time ought to be granted either to the patentee or to some other person, or to the Government itself, in order that security might be afforded against counterfeiting bank notes in this country. It was well known that in England and France, the Government had entire control of the paper on which these notes were printed, thereby preventing counterfeiting. In the Province which he had the honour of representing there was such confidence placed in our bank note system that there was hardly any counterfeiting at all, and, therefore, all the farmers and men of business took these notes in circulation, because they accepted them as *bona fide* genuine notes; whereas, in the United States, the shin-plasters, as they were called, were so spurious, and there were so many counterfeits of them, that the counterfeits passed current in the market quite as well as good notes; it was not worth while examining whether they were genuine or not. If this patent could be secured in such a way as to prove a benefit, it would, instead of being against the principle advocated by the hon. the Premier, assert that principle itself. It would be an advantage to the public to have this patent secured. It would certainly be a privilege granted to a particular individual, and might be looked upon as a monopoly to a certain extent, but it was not a monopoly. Though he was prepared to use all his efforts to carry the Bill, yet

as he could not hope to succeed, he would be obliged to adopt the course suggested by the hon. the Premier. At the same time he desired to express his views, and thought they were worthy of being considered.

Order discharged, and Bill withdrawn.

**MONTREAL AND OTTAWA JUNCTION RAILWAY BILL.**

(Mr. Smith, Peel.)

**SECOND READING.**

MR. SMITH (Peel) introduced a Bill (No. 57) (from the Senate) Respecting the Montreal and City of Ottawa Junction Railway Company.

Bill read the second time.

**GEORGE F. JOHNSTON DIVORCE BILL.**

(Mr. Fraser.)

**FIRST READING.**

MR. FRASER moved the first reading of a Bill (No. 59) (from the Senate) for the relief of George Frothingham Johnston.

Motion agreed to on the following division :—

**YEAS :**  
Messieurs

Archibald,	McDougall (South Renfrew)
Bain,	MacKay (Cape Breton),
Bertram,	McKay (Colchester),
Biggar,	Mackenzie,
Blain,	McCallum,
Borron,	McCarthy,
Bowell,	McCraney,
Bowman,	McGregor,
Buell,	McNab,
Bunster,	Metcalf,
Burk,	Mills,
Campbell,	Mitchell,
Carmichael,	Monteith,
Charlton,	Oliver,
Coffin,	Orton,
Dymond,	Paterson,
Ferris,	Pettes,
Fleming,	Platt,
Flesher,	Ray,
Fraser,	Robinson,
Galbraith,	Ross (East Durham),
Gibbs (North Ontario),	Ross (West Middlesex),
Gillies,	Ross (Prince Edward),
Gillmor,	Rymal,
Goudge,	Scatcherd,
Greenway,	Scriven,
Guthrie,	Shibley,
Horton,	Skinner,
Kerr,	Smith (Westmoresland),
Kirk,	Thompson, (Haldimand),
Kirkpatrick,	
Landelkin,	

Macdonald (Kingston), Trow,  
Macdonald (Centre Tupper,  
Toronto), White (North Renfrew),  
Macdougall (East Wood,  
Elgin), Young.—70.

**NAYS :**

Messieurs

Aylmer,	Jetté,
Barthe,	Jones (South Leeds),
Bécharde,	Lafamme,
Benoit,	Lajoie,
Bernier,	Langevin,
Blanchet,	Lanthier,
Bolduc,	Macdonald (Cornwall),
Bourassa,	McDonald (Cape Breton),
Brooks,	McDougall (Three Rivers),
Brown,	McIsaac,
Caron,	Malouin,
Casgrain,	Masson,
Cheval,	Méthot,
Cimon,	Montplaisir,
Costigan,	Mousseau,
Coupal,	Quimet,
Cuthbert,	Pinsonneault,
Delorme,	Pope (Compton),
Desjardins,	Robillard,
De St. Georges,	Robitaille,
Devlin,	Rouleau,
Forbes,	Roy,
Geoffrion,	Short,
Gill,	Stephenson,
Harwood,	Taschereau.—52.
Hurteau,	
Irving,	

Bill read the first time.

**HUGH HUNTER DIVORCE BILL.**

(Mr. McCarthy.)

**FIRST READING.**

MR. McCARTHY moved the first reading of a Bill (No. 58) (from the Senate) for the relief of Hugh Hunter.

Motion agreed to, on the following Division :—

**YEAS :**  
Messieurs

Archibald,	McDougall (South Renfrew),
Bain,	MacKay (Cape Breton),
Bertram,	McKay (Colchester),
Biggar,	Mackenzie,
Blain,	McCallum,
Borden,	McCarthy,
Borron,	McCraney,
Bowell,	McGregor,
Bowman,	McNab,
Buell,	Metcalf,
Bunster,	Mills,
Burk,	Mitchell,
Carmichael,	Monteith,
Coffin,	Oliver,
Davies,	Orton,
Dymond,	Paterson,
Ferris,	Pickard,
Fleming,	Platt,
Flesher,	Ray,
Fraser,	Robinson,
Galbraith,	Ross (East Durham),
Gibbs (North Ontario),	

Gibbs (South Ontario),	Ross (West Middlesex),
Gillies,	Ross (Prince Edward),
Goudge,	Rymal,
Greenway,	Scatcherd,
Guthrie,	Scriven,
Higinbotham,	Shibley,
Horton,	Sinclair,
Kerr,	Skinner,
Kirk,	Smith (Westmoreland),
Kirkpatrick,	Thompson (Haldimand),
Landerkin,	Trow,
Macdonald (Kingston),	Tupper,
Macdonald (Centre Toronto),	Wood,
	Young.—70.

## NAYS :

## Messieurs

Barthe,	Jetté,
Bécharde,	Lafiamme,
Benoit,	Lajoie,
Bernier,	Langevin,
Blanchet,	Lanthier,
Bolduc,	Macdonald (Cornwall),
Bourassa,	McDonald (Cape Breton),
Brooks,	McDougall (Three Rivers),
Brown,	McIsaac,
Caron,	Malouin,
Casgrain,	Masson,
Cheval,	Methot,
Cimon,	Montplaisir,
Costigan,	Mousseau,
Coupal,	Ouimet,
Currier,	Pinsonneault,
Cuthbert,	Pope (Compton),
Delorme,	Robillard,
Desjardins,	Robitaille,
De St. Georges,	Rouleau,
Devlin,	Roy,
Donahue,	Short,
Forbes,	Stephenson,
Geoffrion,	Taschereau,
Gill,	Wallace (South Norfolk).—53.
Harwood,	
Hurteau,	
Irving,	

Bill read the first time.

## INSOLVENT LAW REPEAL BILL.

[Bill No. 2.]

(Mr. Barthe.)

## SECOND READING PROPOSED.

Order for second reading read.

MR. BARTHE said, last year he had introduced the same Bill, but, to the regret of the majority of the people of this country, it was defeated, and in reintroducing it this year, he believed the opinion of the majority of the people of this Dominion was favourable to it. This was not a question of politics, though it was his humble opinion that the Government should have a policy on this subject. He submitted respectfully to the House and the Government that, on so important a subject as this

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one, the Government should be prepared to state whether they were in favour of such an insolvent law or of its repeal. If the Government was not ready to express such opinion, as this question was not a political one, but one of general advantage, he held the leaders on both sides of the House ought to put it in that shape before this House and the country. The majority of the people were in favour of the repeal of the law, because experience taught them that the more it had been amended, the more unsatisfactory it had become. The discussion last year, on both sides, was important. The reasons for the existence of the law and for its repeal had been given very eloquently. He would not repeat what had been said in favour of the repeal of the law last year, but would say this: that the reason his Bill was defeated last year was on account of the amendment proposed by the Government. The Government had then proposed an amendment which, in the opinion of many hon. members, would be a panacea, a remedy for the evils of the law as it existed. The amendment proposed by the then hon. Minister of Justice was that no insolvent who could not pay fifty cents on the dollar should get a discharge. The law was intended to be stringent, that every estate should give to the creditors fifty cents on the dollar or no discharge should be granted. They had had an experience of the amended law for one year, during which time only one estate in the Province of Quebec had paid a dividend of 50c. on the dollar, and that was very recently. He had the official statistics of the Government and also those of Dun, Wiman & Co., which showed that so far from estates having paid 50c., the average dividend was less than 14c. over the insolvent estates of the Dominion. Here was what the *Journal of Commerce*, which was an authority on different subjects, said.

Several Hon. MEMBERS: Hear, hear.

MR. BARTHE said he did not refer to that journal as a political, but as a commercial authority.

MR. MACKENZIE: And political.

MR. BARTHE said he did not now refer to political questions. That newspaper said :

"The Government report gives \$31,346,154; Dun, Wiman & Co., \$25,517,971—a difference of nearly \$6,000,000. The average of net assets for dividends and composition are somewhat less than fourteen cents on the dollar of liabilities."

That was a statement which nobody could deny, and the expectation of the hon. the Minister of Justice, expressed last year, that estates would pay 50c. on the dollar, had not been fulfilled according to the official statistics. He observed in a newspaper the suggestion that a remedy would be found in compelling insolvents to pay dividends of 75c. on the dollar. No estate in the Dominion could pay that dividend and the assignee's costs; indeed, no estate was able to pay 50c. and assignee's costs, as matters were now managed. With those statements made public, it was desirable to ascertain in how many cases discharges were refused to reckless and dishonest debtors. Experience had shown that, as the law was now framed, it was nearly impossible to contest with success the discharge of an insolvent, because the assignee and insolvent worked together; a statement was prepared before the meeting, and the majority of the creditors did not make it their business to watch the estate. It was said, in reply, that if estates were not well managed, the fault was that of the creditors and they should make it their business to look after them. In those cases, however, where they guarded their interests, and went into Court to protect their rights, they had, generally, been compelled to pay the costs. The law, at all events in the Province of Quebec, was, that if one creditor contested the discharge of an insolvent, it was not fair that the discharge should be refused. That was the decision given by the Court of Appeal. He did not, of course, desire to combat that decision; he knew it was in accordance with the law, but a law which enabled such a decision to be given was a bad one and should be repealed, for it was unjust to creditors and encouraged reckless and dishonest debtors. The

experience of the working of the law during previous years had been of the same character. It was a benefit only to reckless and dishonest debtors, and conferred no advantage on creditors, with the exception of a few large creditors in cities, and who appeared to think they had the right to control the whole business of the country by that law. The *Journal of Commerce* contained a *résumé* of the working of the Act throughout the country; it placed the subject in a clear light, and contained the following paragraphs:

"There is not one among the wholesale merchants of Montreal, Toronto, Hamilton, Halifax, St. John, and other cities, who is not conversant with the country merchant, who, to build up a business and destroy that of his honest neighbour, will sell cotton for 6c. to 7c. a yard and other goods in proportion, (which his honest and careful competitors cannot afford to sell for less than 9c. to 10c.,) well aware that the Insolvent Act is ready to relieve him when at the end of a year or two he finds himself owing his creditors some \$15,000 or \$20,000 and has only \$12,000 to \$15,000 wherewith to pay it. He calls on his creditors and tells his story very humbly. But he has an uncle or other wealthy friend who will secure him, and, if they would accept 50c. on the dollar, he 'would be a good customer in the future.' The result is that in nine cases out of ten he returns with his composition all arranged, and enabled to continue underselling his honest neighbours, who see with regret that the 'white-washed' dealer is none the less respected in his vicinity, because he has not, like themselves, paid his twenty shillings in the pound. 'As a little leaven leaveneth the whole lump,' so does one such compromise infect a whole neighbourhood; others who had continued able and willing to pay their indebtedness in full are tempted into similar recklessness in trading and buying, until at length the sound business men in the place are the exception and not the rule. Indeed, the ease and certainty with which compositions and discharges are obtained are a continual premium offered to recklessness and dishonesty. There is scarcely an upright country storekeeper who has not had sad experience of the state of things we here describe, and upon the head of the wholesale merchant at last descends the accumulated load, when he finds his customers one after another failing or offering to compromise, and this in a business where profits are scant enough through over-competition, "slaughtering," heavy taxation, embezzlement and other causes.

"The remedy for this state of things must be found in the cause; and there is little

doubt left in the minds of practical business men that, rather than allow matters to remain as they are, it would be advisable to totally repeal the Insolvent Act, leaving cases of insolvency to be dealt with by the common law of the country, with all its attendant evils, unless such amendments can be provided as will lessen this great evil. Merchants, as a rule, are but too ready to extend every leniency to the customer who is unfortunate in business, except where great want of capacity is shown, when the sooner he is out of business the better for all concerned. A hint towards abrogating the Act would doubtless cause a precipitancy among dishonest dealers that would amount to almost a panic, but better such should occur than that they continue to drain the life-blood of the business community—than that the honest country dealer be entirely supplanted by a class of men who are honest only when it is the best policy. It is a strange fact that of the 1,758 failures in the Province of Ontario during the past two years, but few have been refused a discharge. There are a few exceptions to this in the Province of Quebec, chiefly in this city, but they are cases of the most glaring dishonesty. Those who fear for the working of the common law in cases of insolvency to the detriment of the unfortunate honest trader know but little of the practical side of the question, of the tendency on the part of merchants generally to a too favourable view of the circumstances of a customer calling for indulgence on their part; and as the Insolvent Act was originally framed with a view to the protection of honest insolvents, it is high time, now that it has outlived its usefulness and become the shield of dishonest dealers, to abrogate it altogether ere it be too late, and the commercial morality of the business community exist only in name."

He submitted that that opinion should receive the favourable consideration of the majority of the House, as it would that of a majority of the people. Recent statistics showed that since 1873 there had been 7,546 failures, with liabilities of upwards of \$100,000,000; the yearly average was 1,509 bankruptcies, with assets of \$20,000,000 per annum. In 1877 there was one insolvent for every thirty merchants. There was no other country which furnished such an example. Those facts were very damaging to the credit of Canada, and showed that our commercial morality was rapidly diminishing, and that the repeal of the Insolvent Act was required to prevent its further deterioration. He had often heard it stated that the large merchants desired the Insolvent Act. It was a law for merchants; if they wanted it, let it apply

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to merchants alone. He saw no reason why farmers, professional men and mechanics, the great majority of the people, should be subject to class legislation merely to suit the convenience of large city merchants. Moreover, he failed to perceive what advantage those merchants gained by it, but, of course, they were the best judges; at all events they had no right to have a majority of the people as their victims, because experience demonstrated that large creditors always acted so as to secure themselves, while the balance of the estate went into the pockets of the assignee. Such was their experience of the operation of the Act in the Province of Quebec. He believed the voice of the people would be heard on this question at the next election, and that the great majority of candidates returned would be compelled to state before the people that they were opposed to the Insolvent Law, because it had proved to be ineffectual in its working and unjust towards them. Every day creditors failed on their own compositions, some had done it on two or three occasions, and were always sufficiently fortunate as to be honourably discharged. He would not longer address the House, because hon. members must have formed their opinions on the subject. Entertaining the views he had expressed, he was convinced that, as the law was ineffectual when it was first introduced, and was not now effective, the best course to adopt was to suspend the Act for at least two years as an experiment, because it had been proved that not only was the Act ineffectual, but it was also injurious to the majority of the people. He would conclude by citing the opinion of an English Judge, who recently defined bankruptcy as the case of a man who owes a lot of money and the lawyer and assignee divide the estate between them.

MR. WOOD said he regretted the hon. member for Richelieu should have seen fit to re-introduce this Session the Bill which was defeated last Session by a majority of two to one, and which should have proved a sufficient indication that the feeling of the House was still in favour of retaining the Insolvent Act on the Statute-book. The



hon. gentleman had stated that public opinion was much more in favour of the proposed repeal than last year. If such was a fact, he (Mr. Wood) was not aware of it. Certainly no petitions had been presented by the hon. member, or others holding the same views, for the repeal of the Act, and if the country had been as much in favour of the Insolvent Law as the hon. member indicated, such petitions would have been presented. The fact of a Bill for the repeal of the law having been brought forward a year ago, and there being a possibility that it would pass, led some traders to take advantage of the Insolvent Act, who, if left to themselves, would have paid their debts. In that view of the case, the hon. member for Richelieu had done an injury to the business of the country which he could not comprehend. The hon. gentleman had referred to the amendments to the Act brought in by the Government last Session, and adopted, and had mentioned that, if they had not been submitted, the Act would have been repealed. As only one year had elapsed since they became law, he (Mr. Wood) submitted they had not had a fair opportunity of being tested. Moreover, the hon. member had not stated the amendments fairly when he said that, under them, no person could obtain a discharge unless he paid 50c. on the dollar. If he remembered them rightly, they were simply to this effect: that a person feeling himself unable to pay his debts, might submit the state of his affairs to his creditors, and if they did not then take charge of his estate, he would have the opportunity of obtaining his discharge, whatever dividend the estate might realize. The hon. gentleman had complained that the Insolvent Law was class legislation, because the farmers could not take advantage of it. That, however, was a fortunate circumstance for the agricultural classes. Suppose a farmer, in the present hard times, of which they heard so much from some hon. members, was unable to pay the bill of a storekeeper, and could be made an insolvent, his farm might be taken from him. As it stood now, the farmer must be

sued in the regular way, and an execution be issued; and, if there were not chattels enough to satisfy the execution, the farm could not be sold under one year, but if the farmer were allowed to go into insolvency, his farm would, perhaps, be taken away before he had time to redeem it. In this case he thought it was of great advantage to the farmer that he was not able to go into insolvency. The principle of the Insolvent Law was a good one. It enabled the creditors of an insolvent estate to have it distributed regularly and fairly amongst them. The whole of the machinery of the law was perfect, so far as it enabled the creditors, if they would only discharge their duty to each other and the insolvent, to distribute fairly the estate. If a merchant did not take the pains to look after an insolvent estate, the law could not be blamed for that. It was ample and perfect in every respect. If the official assignee got more of an estate than he ought, this was not the fault of the law. It was simply the fault of the creditors, who suffered in consequence. He had often heard it said that the great anxiety exhibited on the part of certain gentlemen to secure the repeal of the law was due to the fact that official assignees obtained, perhaps, a greater part of these estates than a certain class of lawyers; and, therefore, these gentlemen desired to go back to the old days of snap judgments, when these lawyers got hold of the whole estate, instead of the official assignee. He did not say that this was the reason; but such a statement was made outside of the House. They were told if they had no insolvent law there would be no failures. If the hon. gentleman would guarantee this, he (Mr. Wood) would vote for this Bill. He contended that, whether we had an Insolvent Law or not, we would have failures in business. Incompetent men would obtain credit without, as much as with it. Incompetent men would make failures whether the law existed or not; and, therefore, he held that it was no argument to say that, if this law were repealed, there would be no failures. Without it we would have as many as with it; and then, as now, goods would be sold at a sacrifice, because merchants would fail, and the

sheriff would be called in; and, in that case, goods would be sold at auction, and parties fortunate enough to secure the first judgment would obtain the whole of the proceeds of the sale, and all the rest of the creditors would be wiped out, or rather, would not get a single farthing. The hon. gentleman said—and he believed truly—that they had a law in the Province of Quebec which enabled them to take hold of and distribute estates without the aid of an insolvent law. Very well. He had no objection to their working under that system. He did not have the slightest objection to the setting aside of the Insolvent Law, as far as the Province of Quebec was concerned; but he had a decided objection to the people of Quebec, who had a law which would answer the purpose in case of the repeal of the Insolvent Law, forcing those who had no such other law, to do away with this law. Why should the people of Ontario be placed in a position different to the residents of the Province of Quebec? If the latter had such a law as was mentioned, let them work under it; but they, in Ontario, who were perfectly satisfied with the Insolvent Law—and no petition had been presented from Ontario to secure its repeal—should not be forced to repeal it to their great disadvantage. A meeting of the Dominion Board of Trade took place a short time ago, and then it was supposed that the wisdom of the merchants and manufacturers of the country was assembled to discuss these matters. The question of the repeal of the Insolvent Law was brought up, and the leading merchants both from Upper and Lower Canada, totally opposed it. He thought he could do nothing better, or so well, as to read a part of the speech which was delivered on the occasion by Mr. Andrew Robertson, a leading merchant of Montreal. Mr. Robertson was well known to the merchants of the country, and to a great number of the members of the House, as being largely engaged in the commercial business, and as a man of vast experience in the commercial affairs of the country; and, if the repeal of this law would have benefited the commercial community, he thought that Mr. Robertson would have been the very first man to advo-

cate it; but he took quite a different course. He said:

“ If I understand Mr. Green’s amendment, it repeals the Act and does away with preferential assignments in Ontario. I do not know how we could get on in Quebec without the Insolvent Act. At a meeting of large merchants in Montreal lately, this question was brought up in an informal manner, and out of about twenty persons present, only five voted for the repeal of the Act, and fifteen for its retention. These represented the most important establishments in Montreal. In a joke, this story was told: The creditors of an estate, to avoid expense, had a private assignment, and appointed some of their own number to manage the estate, and they found, after exhausting all the assets, they not only had no dividend, but had to pay for the rent of the store. I do not believe any has done as badly as that, and yet I believe these gentlemen did the very best they could for the creditors of that estate. Mr. Green’s proposal might suit Ontario very well, but not Quebec. I have no wish to go back to the time when we had the game of grab in Upper Canada, and when, according to my experience, we could not receive a dividend once in ten or fifteen cases, and then only a shilling in the pound. What has been the result of the Insolvent Act? By a return made to the House of Commons in the year, \$27,000,000 of failures had yielded 22½c. in the dollar, which is a much larger sum than we ever got under the old law. Then in the Province of Quebec, if you repeal the Insolvent Act, it is useless to sue at all. I never, under the old system, attempted to sue, because I found I had simply to pay the costs. What with *separations des biens* and other modes of evading payment, it was impossible to get anything. I have known men, at the very time we were getting judgment, having a separation from their wives to get out of paying a dollar of their indebtedness. I hope the law will not be repealed.”

Other gentlemen who attended that meeting, spoke in a similar strain, and in the face of all this, and of the fact that not a single petition from the commercial community had been presented in favour of the repeal of this law, he considered that it would be doing a great injustice to attempt its repeal. They were told that the people of Lower Canada could get along without this law. It would be remembered that the present Minister of Justice addressed the House when the amendment of the law was discussed last year, and the hon. gentleman then pointed out that, even without an insolvent law, the costs incurred in contesting a case in Lower Canada were

actually greater than they were with it. He would read what the hon. gentleman said on that occasion :—

“ He had some experience in commercial cases and had known estates worth twenty shillings in the pound, which after this process would not yield enough to pay twenty shillings in the pound to the lawyers. There was not an action on a promissory note where there was a contestation that would not entail, without any appeal to a Court of Revision, expenses amounting to at least fifty pounds.”

Would the hon. gentleman (Mr. Barthe) now tell the House and country that the repeal of this law would benefit Lower Canada, if this was a true statement of affairs in that section when no such law existed? He contended that, even for Lower Canada, it would be a sad calamity to have it repealed.

MR. BLANCHET: No; but the contrary.

MR. WOOD said that a very large amount of capital was invested in commerce in this country at the present time; and not one of the people so engaged, who had large sums so invested, and who were doing business throughout the length and breadth of the land, and doing it on credit, had petitioned for the repeal of this law. They were perfectly satisfied with it as it stood; they felt that it was as good as it could be made; and not a single petition for its repeal had been presented. He believed that, in the interests of the commercial community, it should not be repealed; and, therefore, he appealed to the House and to the Ministry to call upon their supporters to vote down the Bill. He begged leave to move that the Bill be not read the second time, and that it be read the second time this day six months.

MR. MACDONALD (Centre Toronto) said that the hon. member for Richelieu had stated that the Government ought to have a policy on this subject. Surely the hon. gentleman had not forgotten the care bestowed upon the amendments to the Insolvent Law by the late Minister of Justice last Session, and how well these were calculated to secure the benefits of the law to all those engaged in trade. He could not

himself believe that the Government were prepared to take the responsibility of allowing this law to be repealed, an act that would have such disastrous results upon the trade of the country. The hon. gentleman (Mr. Barthe) had stated that experience had shown that the more this law was amended, the worse it became; but the hon. gentleman had furnished the House with no proof whatever in this regard, save his mere statement. The hon. gentleman asserted that the majority of professional men, and farmers, and mechanics were opposed to the law; but in this instance, also, he had not furnished the House with one practical proof that such was really the case. The hon. gentleman said that last Session one of the amendments made provided that no discharge could be obtained unless 50c. on the dollar were paid. surely it must be in the recollection of every hon. member that it was then held to be simply an impossibility that any man, however disastrous his case was, could possibly secure a discharge until this amount was paid; and yet that hon. gentleman had that night read from the *Journal of Commerce* to show that, under the discharges obtained, the dividends had only amounted to 14c. on the dollar. He asked the hon. gentleman and the House whether he (Mr. Barthe) was prepared to state that, if the Insolvent Law had not been in existence, these estates would have paid more? The hon. gentleman stated that it was impossible to contest a discharge. This was not the case. If the creditors allowed unprincipled men to meet together and defraud them, they had themselves to blame; and he claimed that the provisions of the Insolvent Act contained all that was necessary to prevent an unprincipled man from obtaining his discharge, and to secure to the creditors the utmost farthing that the estate would pay. If merchants did not take the trouble to look after their affairs in this relation, they must take the consequences; but surely the law was not to be repealed to suit those who would not carry it out, and merely to place at a serious disadvantage those who were disposed to take the trouble to carry out its provisions. The hon. gentleman went on to say

that there were some who sought to control the business of this country by the agency of this law. Well, this was the most extraordinary way of making money that he ever heard of. There was not an enlightened man in the country who did not regard a meeting of creditors as a calamity, and as a means of loss of some capital; but without the Insolvent Law, and without its provisions, this loss would be much more serious than it was. The hon. gentleman read from the *Journal of Commerce* to show that when a man failed under this law, he did so to defraud his creditors, and made use of his uncle or some wealthy friend to do so. If the hon. gentleman's logic meant anything at all, it meant that, if there were no Insolvent Law, such a person would be deprived of this means of defrauding, and that his uncles and other relatives could not do, lacking an insolvent law, precisely what they could do with it. The hon. gentleman had told them the number of failures that had taken place under the law; but he had not attempted to deal with what would have been the case without the law. The hon. gentleman had stated—and he was very glad that in this he could agree with the hon. gentleman—that the proportion of failures in Canada was greater than it was in any other country in the world, but he (Mr. Macdonald) could not see that the repeal of the law would at all alter the case. This simply showed the truth of what he had stated in the House on another occasion, that the great want of this country was character. They wanted the merchants who failed to wish to do right, and not to desire to defraud their creditors out of what was justly and properly due to them. The hon. gentleman stated again that the large creditor was paid under the law, and the smaller creditor defrauded. But let the hon. gentleman point out a clause in the Insolvent Act which pointed to any such conclusion. The hon. gentleman was utterly unable to do so, and he (Mr. Macdonald) maintained that, since this was the case, the hon. gentleman should not make that statement to the House before hon. gentlemen who, perhaps, did not take the trouble to read the Act. The fact

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was that the small creditors were not unfrequently, by the consent of the other creditors, paid in full, and the great loss under this Act fell upon the merchants of the country. The hon. gentleman concluded by reading a statement from an English Judge, to the effect that these estates were eaten up by the lawyers and assignees. Thanks to the wisdom of our legislators such a result was not possible in Canada. If men would but use the machinery with which this law furnished them, no such result could possibly take place. The law was on the Statute-book, and the hon. gentleman knew very well that it would not work itself. It was there and it must be put in force. Merchants interested must attend the meetings of creditors and carry out its provisions. What were the provisions of this Act? They were to give relief to the debtor and to protect the creditor. Relief did not necessarily imply composition. Many men simply wanted time. Many were embarrassed perhaps at the instance of some unreasonable creditor, and they required time; and this granted, they could so manage their estates as to save not only themselves but all others interested from loss. The Insolvent Act enabled him to make such an arrangement as would restore him to his position, discharge his liabilities, and deal equitably with his creditors.

SOME HON. MEMBERS: No.

MR. MACDONALD said that hon. gentlemen might say "no," but he would ask them to prove their assertion. He did not know how the law was administered in Quebec, but take a case such as might happen in Ontario. There, a man might have twenty or thirty creditors. Some of these might be unreasonable, some might be selfish, and some might wish to obtain a preference. Now, the Insolvent Act prevented such proceedings and any attempt at fraud. He would ask the House, was it right that fraud should prevail? Was it right that honesty should be regarded? Was it right that an estate should be equitably distributed in the event of a distribution taken place? He maintained that to these questions there was but one reply. The solution of

the whole was to be found in the working of the Insolvent Law. What did it propose? It proposed to prevent one creditor from getting preference over another; that no debtor might be oppressed after he obtained his discharge, if his statement was an honest one. Now, what did the Insolvent Law say on these points? It said:

"The insolvent shall not be entitled to confirmation of his discharge, or a deed of disposition and discharge, if it appears to the Court or the Judge that he has not obtained the assent of the proportion of his creditors in number and value required by this Act, to grant such discharge, or that he has been guilty of any fraud or fraudulent preference within the meaning of this Act, or of fraud or evil practice in procuring the consent of the creditors to the discharge, or the execution of the deed of composition and discharge, as the case may be, or of fraudulent retention and concealment of some portion of his estate or effects, or of evasion, prevarication or false swearing upon examination as to his estate and effects, or that the insolvent has not kept an account-book showing his receipts and disbursements of cash, and such other books of account as are suitable for his trade, or that if, having at any time kept such book or books, he has refused to produce or deliver them to the assignee, or is wilfully in default to obey any provision of this Act, or any order of the Court or Judge."

Now, was it right that that class of men should be let loose on the community? There was the law, and if men would not make use of its provisions they had themselves to blame. He was quite aware that creditors had been robbed, that dishonest men had been enriched. He was quite aware that creditors and debtors had sometimes practised collusion; sometimes it was the assignee and debtor, and sometimes the debtor proved too much for the whole of them together. But that was not the fault of the law, and he maintained that, if creditors would carry out the meaning of the law, these men would be punished. Reference had been made to the law of Quebec. One of the most intelligent and influential merchants in the city of Montreal had told him the other day that a creditor paid to an assignee for assets in an estate, \$1,500, and by resolutely taking hold of the estate he rescued \$2,500 which would have been lost had it not been for this Insolvent Act, as, under the law of

Quebec, it would have been impossible to recover any portion of the sum he had mentioned.

MR. DEVLIN: That is a very rare occurrence.

MR. MACDONALD said the same gentleman to whom he had referred, told him, also, that in the city of Quebec, a person who failed without assets was put in prison for three months, and yet, from that man, no less a sum than \$30,000 was extracted. Was it in favour of such men that the hon. gentleman wished to alter the law? The law that creditor wanted was one which would enable them to get a settlement without much trouble, without attending creditors' meetings, without going to official assignee's; and the law the debtor wanted was one to enable him to get off by paying five cents, or as much less as possible. But the law, as it at present stood, was, he maintained, an equitable one for creditor and debtor, and beneficial to the trade of the country. He wished the House to consider what the effect would be of repealing the law. He claimed, in the first place, that it would bring about wide-spread confusion. In Ontario there was no law similar to that which existed in the Province of Quebec, and he contended that, in order to be perfectly logical, the hon. gentleman would require to make an uniform law—to move the repeal of the law of Quebec, which was altogether dissimilar from that of Ontario.

MR. DEVLIN: It is infinitely more just.

MR. MACDONALD said if it was more just, the benefits of it should be extended to all the Provinces and not be confined to Quebec. The result of the repeal of the present law would be this: He would suppose that a debtor had about twenty creditors. One of these he owed about \$10,000, and an additional \$10,000 he owed to the other nineteen. The result would be that the smaller creditors might press for judgment and strike out the large creditor, or the large creditor might collude with the debtor and thus cut out the small ones. That would certainly have a most demoralizing effect,

it would lead to chicanery and fraud, and would in every respect prove disastrous. He would ask the House, before they voted upon the Bill, to consider the care that was bestowed on the amendments of last Session. He would ask them to consider the calm way in which these amendments were considered, and how conducive they had been, when properly worked out, to the benefit and protection of trade. He asked whether it was good policy to repeal a law so recently amended? He would ask gentlemen connected with the banks if it was possible that merchants might lose and banks not suffer? And was it possible that these might lose and farmers and mechanics not feel the pressure of that loss throughout the whole country? Rest assured it would be felt, and he called upon every independent member of the House to vote against the motion of the hon. member for Richelieu.

MR. DOMVILLE said the hon. member for Centre Toronto had really amused him that evening. He would not say that he intended to vote against the hon. gentleman; it was probable he would vote with him, because there was method in everything, even in madness. He was satisfied as regarded the Insolvency Act. He thought the Bill was a bad one. Last Session, when it was first introduced, he had the honour of voting with the Premier, and perhaps, he was the only one of his party who did so, in order that a compromise might not be effected whereby a debtor might obtain his discharge on payment of 33 $\frac{1}{3}$  c. or the dollar instead of 50c. as had been the custom previously. He opposed that proportion because he believed it would offer a great inducement to traders to compromise the law. He did not think they should be allowed to get through very easily, preferring that the law of England should be followed by the legislators of Canada—namely, that no man should obtain his discharge who could not pay 10s. in the £. It had been laid down as an axiom in trade that any man should fail when he became unable to pay over 75 per cent. The policy of this Bill, therefore, would be, not only a great injustice to

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the mercantile community, but also to the banking interests of the country. It would wipe away the only chance a man had, and legitimate creditors would be unable to get that redress to which they were entitled. To show that the law was bad, he would give a case in point. A certain insolvent offered 10c. in the dollar, but did not pay a single cent, and, of course, was put into insolvency. Afterwards, he and his partner brought in suits in their individual names claiming \$5,000 each from the creditors for maliciously endeavouring to put them in court, and one of the parties obtained a verdict for damages. What was the good of this law? If a person proceeded against a debtor he was told that the man had good assets, though not able to pay his debts—that he had ships, mines or something of that description, and, consequently, the debtor paid no one. That had been demonstrated in New Brunswick in open court, where a person got damages to the extent of \$5,000, and his partner was still in a position to sue for the same damages. Evidently, then, the law did not meet the requirements of the people. He believed the hon. member who proposed the Bill had the best interests of the trading community at heart, but, at the same time, he thought it would be a great injustice to creditors if they were deprived of the present means to obtain redress. The hon. member for Centre Toronto (Mr. Macdonald) deprecated the principle that farmers should get relief. Now, as representing an agricultural constituency, he (Mr. Domville) disagreed with the hon. gentleman, for he believed that farmers were just as much entitled to relief as traders. It was not fair that a manufacturer or trader should swindle his creditors, and go through the Court, getting clear of everybody, while the honest farmer was denied all relief. He was prepared to sustain the mover of the amendment, because the repeal of the Bill would, he thought, be calculated to do grave injustice to the whole country.

MR. MACMILLAN said that no law was ever placed upon the Statute-book of the country that was more neces-

sary than the Insolvent Act of 1864, when it was placed there; because, after the crisis of 1857, in which almost every speculator, as well as every commercial man, had become bankrupt by over-speculating or over-trading, it was necessary to relieve the unfortunate. The method of carrying on business then was very different from what it is now. If a retail merchant went to one of those wholesale merchants, known as merchant princes, and asked to purchase a bill of goods, the first question asked him was, what security can you give? Because, no credit at that time was given to retail dealers without the price of the bills of goods being secured. In this way the speculator and the retail merchant, in so many cases, induced their farmer friends to go their security, and, failing themselves, as they almost invariably did, they left these friends security for so much that they eventually became hopelessly insolvent. In fact, the whole country seemed to be in a state of bankruptcy, and, in order that many honest debtors should be enabled to get into business again, an Act of this kind became absolutely necessary. When, in 1869, this Act was being repealed so as to apply to the traders only, to the utter exclusion of the farmer, it seemed to be a great injustice, for, a farmer having a desire to assist his sons in going into business, knew well that by paying cash for goods, they can obtain them on more favourable terms than if they purchased them on credit. He mortgages his farm and advances all the money to them that he possibly can; business is, or becomes dull; new indebtednesses are entailed. He assists them further by endorsing for them; business still gets worse; bad debts are made, and, in the end, the sons are thrown into insolvency; the amount realized from their assets is not sufficient to pay the liabilities; even after the father's assets are realized upon, there is a considerable discrepancy. And what was the result of it? Because the sons are traders, they get their discharge, whereas, the father, who is equally honest, has used every exertion to pay the liabilities, yet, because he is a farmer, he is not entitled to relief. This seemed to him to be a great injus-

tice. He remembered well in 1875 or 1876, when an amendment to the present Act was being introduced to extend it to farmers, the hon. the Premier opposed it strenuously, stating that it would be a very bad thing to extend the Act to farmers, in fact, that it would be ruinous to them to be able to force them into insolvency. He (Mr. Macmillan) at that time contended, as he did now, that, if it would be beneficial to one farmer in the country, he ought to be entitled to avail himself of the Act. In fact, as affairs in Canada are now, a farmer can borrow as much on mortgage as his farm would sell for under a forced sale, and he would still be able to retain the equity of redemption, and might eventually work himself out of the trouble. He was very glad to see that the amendments increased from time to time the amounts of dividends that debtors had to pay before they could possibly obtain their discharge. It was too often the case, however, that wholesale merchants proposed, instead of taking the goods away from the debtor, to accept whatever they could pay, say 30c. or 40c. on the dollar, and allow him to go into direct competition with his next-door neighbour who had to pay 100c. on the dollar. In many instances, also, debtors said to creditors: If you do not accept our proposition, or pursue a certain course which we wish you to do, we will succeed in taking advantage of the Insolvency Act. So that often the debtors exercised control over the creditors in that way. As a remedy, he suggested that the Absconding Debtors Act of Ontario be extended to insolvents; that a writ of attachment should issue, be placed in the sheriff's hands, and the assets realized upon, and any creditor proving his claim within three months from the date of the writ of attachment should receive his *pro rata* share of the debtor's assets; that the debtor should be compellable to give information as to the creditors and assets, and any other matter in connection with his estate, when called upon to do so, and be amenable to the law, as he now was, for fraud, etc. If, at the expiration of a certain period, it was thought desirable to re-enact the

present law or some other in its place, that could be very easily done; in the meantime, the existing law ought to be abolished. The cause of many instances of insolvency, as they at present exist, was from over-importation by the merchant princes, who, when the goods arrive, send out travellers through the country, some paid by salary, others by commission, who have nothing to care for but to effect sales of goods to persons worthy or unworthy of credit, honest or dishonest, so long as the sales are made; and so long as the Act remains in force and these wholesale merchants pursue the course they do we will never get back to a healthy commercial state. The machinery of the Insolvency Act may be good, but so long as it is put into the hands of political partizans, and, in many cases, broken-down merchants as assignees, who carry it out in a most villainous manner, having had the experience of insolvency themselves, and canvass weak merchants, who are not exactly able to pay their liabilities, and induce them to go into insolvency, promising them to use every exertion they can on their behalf to obtain the insolvent's discharge, if they will take advantage of the Act, rather than let them go on and meet the obligation, which they, no doubt, would use every exertion to do, if this Act were not in force. An hon. gentleman who had a seat on the floor of the House, and was probably the largest wholesale merchant in it, and one of the largest in the Dominion, who opposed the repeal of the Act last Session, stated in conversation with him (Mr. Macmillan) a short time since, that he feared he could not be present at the debate owing to pressure of business elsewhere, but, if he were there, he would certainly, this Session, vote for the repeal of the Act. It seemed to him that the repeal of this Act would be in accord with the feelings of the vast majority of the people of this country, and believing that, if the Act had not been continued in force, that the commercial affairs of the country would not have been carried on in the reckless style which they had, and that, even now, the sooner the Act was repealed the better it would be for the country, he (Mr. Macmillan) had now determined to vote for its repeal.

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MR. DEVLIN said the constituency which he specially represented in this House, and indeed the whole city of Montreal, was deeply interested in the question now under discussion. It was a matter of vital importance to the commercial community of this Dominion, and in dealing with it now it was the plain duty of hon. members to bear in mind the important interests which must be largely affected, either for good or evil, upon their action with regard to the repeal of this Bill. In Montreal, the metropolitan commercial city of this Dominion, opinion was very much divided in reference to this Insolvency Act and its advantages. He believed that if a vote were taken the following day in that city, providing the same law prevailed as in the Province of Ontario, there would no doubt be an overwhelming majority in favour of the absolute repeal of the Insolvency Act. But the commercial men of the Province of Quebec would find themselves in the same position as that in which they were placed before the passing of the Act; they would find it difficult to collect their debts. It was a fact well known, of course, to every hon. member of this House, that in Ontario there was a chattel mortgage law and a preferential assignment law also. They had no such chattel mortgage law in Quebec, and if this obstacle were removed, so that the two Provinces could be placed upon a proper footing with regard to each other, he believed the merchants of Montreal would vote for the repeal of the Insolvency Act. But as the law stood in Ontario, remembering how much they suffered under the operation of these preference assignments which parties could obtain in Ontario to their advantage, one could not but feel surprised that there should exist a desire, and a very strong desire, to retain the law as it at present stood on the Statute-book. He was himself of opinion that it was an odious law. He thought that, in this new country, with so many advantages staring us in the face on every side, that we ought to be able to get on without the aid of an Insolvency Act such as this. In the speech of Mr. Robertson, of Montreal, a merchant of high standing, and a prominent and respected member of the Board of Trade, which was quoted



by the hon. member for Hamilton, they had evidence of the desirability of retaining the Insolvency Act, but he (Mr. Devlin) was also aware that other gentlemen, occupying positions on the Board of Trade of Montreal, were opposed to the continuance of it, and he knew, also, a number of leading merchants who held the same opinion. In fact, as soon as notice was given of an intention to apply for the repeal of the Insolvency Act, he placed himself in communication with twenty of the leading mercantile houses of the city, and asked for their opinion with reference to the measure. The majority were in favour of its repeal, and those who desired its continuance referred to the danger which was certain to accrue, and the loss they were certain to sustain, if the Act was repealed without a change being made in the law of Ontario. At a meeting of the Dominion Board of Trade, the other day, the opinion of the Board was so much divided on the question that they could not come to a conclusion in favour of repealing or of continuing the law, and they, therefore, resolved to appoint a Committee to enquire further into the matter, and report to the next meeting of the Board. This went to show that there was a diversity of opinion on the subject, and that mercantile men, the very class to which the hon. member for Centre Toronto (Mr. Macdonald) referred, were, to a large extent, willing and anxious to see the law repealed. What, then, became the duty of a representative of this community on the floor of this House,—a representative of a city in which large commercial interests were at stake. Should he vote for the repeal of the law, or should he vote against its repeal? With his knowledge of the opinions which prevailed in Montreal, his position was a very embarrassing one. He felt that he would give satisfaction to a very large number of his constituents if he voted for a repeal of the law, while, on the other hand, he would, perhaps, dissatisfy a very large portion by voting for it. The position was an embarrassing one, and what he apprehended was that the duty of a representative, under such circumstances, was to exercise his

wisest and best judgment on the question, and to record that vote which, in his opinion, was best calculated to conduce to the interests of his constituents generally. A remarkable fact in connection with the speech of Mr. Robertson, ought, perhaps, to be referred to. That gentleman, in arguing in favour of the continuance of the Insolvent Act, had said that, by a comparative statement of the case, it appeared that failures amounting in one year to \$27,000,000, averaged the large dividend of 22½c. on the dollar. But was that a matter of congratulation that out of \$27,000,000, 22½c. on dollar were paid, showing a loss somewhere in the neighbourhood of \$20,000,000? It struck him as being a most astonishing fact that a merchant could be found in this country lauding an Act which gave them such an advantage. They received about \$7,000,000 out of \$27,000,000, and were satisfied and delighted that the law should force upon them such an advantage. One of two things was clear; either merchants must buy their goods at a very low price, or sell them at a very high price, if they were satisfied with a dividend of 22c. in the dollar. This was a matter which concerned them more closely than those who were not strictly engaged in trade. But, as to the question now before the House, he was of opinion that if the law were repealed at the present moment, as the hon. mover of the Bill desired, very great confusion would be introduced into the mercantile business of this country. He held it would not be prudent or safe, under existing circumstances, to repeal the law as the hon. mover desired. Therefore, under all the circumstances, he believed it would not be to the advantage, certainly, to the commercial men of the Province of Quebec, to have this law repealed until such a change was made in the law in Ontario as would place the creditor residing in the Province of Quebec upon the same footing as creditors in the Province of Ontario. Until the law was so changed in Ontario as to place them on an equal footing, he deemed it his duty to vote for the continuance of the present law, as that which was best calculated to promote their

interests. These were the reasons he had to urge in support of his vote against the repeal of the Act, although as he had said, he believed the Act had a demoralizing effect and tended to make bankruptcies. He thought that, when men found themselves reduced in circumstances, instead of making a bold struggle to go on and work successfully through their difficulties, they ran to the Insolvent Act to get relief. He did not desire to detain the House with further arguments on this branch of the subject, but as he had made up his mind to vote against the repeal of the law, he merely desired to personally state his reasons.

MR. THOMPSON (Cariboo) said that the hon. member for Montreal Centre had stated that the Insolvent Act should not be on the Statute-book, yet he came forward here and said he was prepared now to vote against its repeal. This subject had been argued by hon. gentlemen from Ontario and Quebec who had experience in commercial business. He did not wish to give his opinion in addition to theirs, but as a member for one of the outside and smaller Provinces, he might be excused for explaining the reasons which would induce him to give his vote in favour of the Bill introduced by the hon. member for Richelieu. When the law, which it was now desired to repeal, was introduced, he, as a member for British Columbia, had opposed it. He had introduced several amendments to the effect that it should not extend to British Columbia, where they were working under the old English law. He had moved that miners should be included in that law. This, it was true, was carried. He had voted that farmers should be included, and that was lost. So far, the law had been of no effect in British Columbia, for the simple reason that they had no occasion for it. On looking at the commerce of the whole Dominion of Canada, they would find that the imports exceeded the exports by 33 per cent. Was it, then, any wonder that people should be insolvent, and come forward every day trying to find relief in the Insolvent Courts, when wholesale mer-

chants persisted in pushing their goods throughout the country, and, finally, became insolvents themselves? In British Columbia, the exports exceeded the imports by 10 per cent., owing to which, they had no occasion for this Insolvent Law. If the whole Dominion would only take the same stand as British Columbia, and reduce their imports and discontinue this system of sending men through the country to sell goods to insolvents, there would be no occasion for this law. Under these circumstances, he would vote for the motion of the hon. member for Richelieu.

MR. YOUNG said this was a matter of very great importance to the commercial public, and the vote about to be taken was, probably, the most important one, in the interests of the business of the country, which had been called for during the Session. He regretted that this Bill had been introduced at the present time. Whatever difference of opinion there might be with regard to the Insolvency Law, and a very considerable difference of opinion did exist on that question, he thought that all must be agreed, on a review of the circumstances of the case, that the present time was most inopportune to introduce this Bill. The country was now emerging from a period of serious commercial depression, and one of the most necessary things to restore prosperity was a return of public confidence. He was very much afraid, if this Bill passed, that it would have a prejudicial effect and shake the returning confidence which was seen springing up in different parts of the country. It would have an injurious effect on many business houses which were struggling on under heavy liabilities, and which, with the return of good times, would pass over the crisis successfully. If this law should be repealed, not a few of those people might possibly see fit to avail themselves of the advantages of the present law before it went out of operation, and the result might be that something like a commercial panic would ensue. There were a number of people who thought that, when a law of this kind had been on the Statute-book for a

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number of years, it would be well to repeal it for a number of succeeding years. He had heard, on some occasions, the hon. the Premier state that that was his view; and he was aware that other hon. gentlemen, who had not been of that opinion in previous years, had now come to believe that it would be wise to allow the law to lapse for a short time. But all agreed there should be a law of that kind for the winding up of insolvent estates during a time of commercial depression, or during the time this depression was passing away, as at present. Therefore, its repeal would now be most inopportune. The hon. gentleman who had moved this Bill had said himself that it might be well to repeal it for a couple of years. But he (Mr. Young) would point out to him that, even if that course were thought desirable, this was not the time to adopt it; rather wait for a more prosperous period, when such repeal could be effected without injury to the general interests of the country. Some evils had possibly arisen under the working of the present law, but he believed most of the difficulties which had occurred arose from the fact that creditors had not sufficiently understood the law to put its provisions into successful operation. Very many difficulties had arisen on account of the amendments made, from time to time, to the law, and which prevented creditors from thoroughly understanding its provisions. As he (Mr. Young) understood it, the law, at present, gave the whole estate of the debtor into the hands of the creditors. What more could be done? Under what law could the creditors be placed in a more favourable position? The hon. gentleman who introduced this Bill referred to the great number of failures that had taken place, and then endeavoured to deduce the argument that these failures arose very largely from the existence of an insolvent law. It was not, in his (Mr. Young's) opinion, the law which produced the failures; the law was simply intended for the winding up of estates after failures had occurred. The real cause of so many failures was, no doubt, the large amount of overtrading in the country and the readiness of the com-

mercial community to give credit loosely to every one who asked it; and failures would continue to exist, under these circumstances, whether this law remained on the Statute-book or not. Any law of this kind would always be cavilled at so long as the creditor did not get a hundred cents on the dollar. He failed to see that, after the repeal of the law, failures would not continue to be as numerous as before, while there would not be as satisfactory a means of realizing assets as at present. People were very apt, in matters of this kind, to recollect the ills they had, and not think of those which might come upon them. It had long been his opinion that every commercial community required to have some kind of an insolvent law. If this present law were repealed, he believed before two years, the House would be strongly petitioned to re-enact it. When this matter was brought before the Dominion Board of Trade, a long discussion took place upon it, and it was well known that the Board decided, by a vote of 25 to 7, that such a law was a necessity and should not be repealed. He thought this House should give very considerable heed to the views of those gentlemen who had attended that meeting, who represented all the great business interests of this country, and whose opinions were undoubtedly valuable on a question of this description. It appeared to him, and, he thought, it would appear to the great majority of the members of this House, that the adoption of this Bill, at present, was practically impossible, because the effect of its adoption would be to restore, in the largest Province of the Dominion, one which had business relations with all the other Provinces, the old state of things which existed before the law came in force in 1864. There would be a return to preferential judgments and preferential assignments, the result of which would be that those who were most successful in getting judgments first, would get the entire assets of the debtor, and the other creditors would get nothing whatever.

**Mr. ROCHESTER:** They do now, in nine cases out of ten.

Mr. YOUNG said he thought the hon. member was entirely mistaken. No one individual got the whole of the estate now, which, whether large or little, was divided equally among all the creditors. If they had a return to preferential judgments and assignments, those who first got hold of the estate of the debtor would receive all, and the rest would receive nothing. Another important fact to which he would draw attention was, that the moment it became the interest of any one creditor to take the assets of those who were his debtors, there would be writs issued all over the country against those who were indebted, and a commercial panic would almost certainly result. Every creditor would feel it was his duty to enter a suit at once, on the ground that if he were first, he would get paid in full, whatever the others might do. The result would be suits innumerable, exciting distrust throughout the whole commercial community. It was impossible the Bill of the hon. member (Mr. Barthe) should be adopted, unless some other machinery were provided by which the assets of debtors could be equally divided, and justice done to all the creditors; and, if that were done, they would simply have another Insolvency law, and it would be better to amend the old one, when amendments were shown to be necessary, than to adopt a new measure. It appeared to him that, whatever opinions might exist with regard to this question, some hon. members having apparently changed their minds and believed the law ought to be rescinded, he maintained this was a most unfortunate time in which to rescind it. He feared very much, as he had already said, that if it were repealed, something like a commercial panic would result, and very serious injury be inflicted on the commercial community of this country. Under these circumstances, he felt it his duty to vote for the six months' hoist.

Mr. MACDOUGALL (Three Rivers) said he would vote against the motion for the six months' hoist, and in favour of the Bill introduced by the hon. member for Richelieu. He had always, since the introduction of the law in

1864, entertained the opinion that it was very injurious in its effects, and he had considerable experience, as a lawyer, in working it. He had the good fortune to take out the first writ under the Act, on 17th September, 1864, a few days after it had come into force. The insolvent was undoubtedly a fraudulent debtor; he obtained a very large quantity of goods in Montreal from good-natured creditors, who were willing to sell to him, notwithstanding his poor antecedents. At that time the goods in his possession would have paid 20s. in the £, but when the writ was served, a quantity disappeared, and only 6s. 8d. in the £ was realized. After a time, they placed the insolvent in gaol, but that did not give them any money. That was the first case that occurred under the Insolvent Law of 1864, and since then, the cases had been going on from worse to worse. He had never before taken an opportunity to express his views on the Insolvent Act, because he thought he might, perhaps, have been influenced, as a lawyer, in coming to the conclusion at which he arrived very soon after the introduction of the law, from selfish motives, because the Insolvency Law had the effect, in the first instance, of depriving collecting lawyers of a very large amount of income. It was not proper to come to Parliament and advocate the abolition of any law from such motives; but lawyers were not always found at a loss to work a law of that kind to their own profit. Since the Act had been in operation, lawyers had found that, as a matter of profit, they might as well keep the law on the Statute-book; but, being relieved from the first selfish motives that induced him to come to his convictions, and having arrived at a result by which he could make just as much money by the present law as by the restoration of the old law, he felt he was quite at liberty to express his opinions in the House. He failed to understand what were the difficulties in regard to the repeal of the Insolvent Act. They had a perfect law in the Province of Quebec, except that the costs were found to be very considerable in realizing a large estate, and might sometimes prove inadequate to lay hold of the whole assets of an insolvent debtor.

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But that could be very easily remedied by adding to the Civil Code an article providing that the moment an insolvent debtor should be sued and execution issued, that execution should have the effect of placing the whole estate in the hands of the sheriff for equal distribution among the creditors. The Quebec law was amply sufficient to distribute the proceeds of the estate to the creditors, the only objection that could be made to it in its present form being that it might be somewhat expensive. Take the case of a debtor having a large estate. The first creditor who sued might do so for an insignificant sum, such as \$100 or \$200, whereas the estate might be worth \$10,000. The moneys that were levied under the execution were paid into Court, and they were afterwards distributed. The expenses of levying and of distributing the amount frittered away a considerable sum, because the sheriff could not go beyond the command contained in his writ and levy more than was mentioned therein. Under the present system, therefore, an estate might be frittered away in that manner, and that was one, among other reasons, which induced Quebec originally to join with Ontario to enact an insolvent law. But, as he had already pointed out, that could easily be remedied by a provision that the moment an execution issued against a trader, his whole estate should fall into the hands of the sheriff for distribution. Since the question of the Insolvent Law came before Parliament he had spoken with several Ontario lawyers, and they seemed to find difficulty in meeting the case. They seemed to think that if the law were swept away from the Statute-book they would have to fall back on the law as it existed before the introduction of the Insolvent Act. He could not, however, understand why that should be the effect. The legislation might either be enacted by the Local Legislatures or by the Dominion Parliament, but it must be made by Parliament if the questions were connected with purely commercial matters. It did not seem to be difficult to frame a short measure introducing into Ontario the Quebec law respecting insolvent estates, with the

alterations he had suggested. They could take four or five articles of the Civil Code, and declare they should be law in Ontario, or any other Province, if other Provinces required the law. Those gentleman made a mountain out of a mole-hill, for the matter was as simple as possible. Another point to be considered was that an Insolvent law was intended, not only to distribute the proceeds of insolvent estates among creditors, but also to enable the honest trader to obtain his discharge after a certain prohibitory term. What difficulty was there in enacting a clause by which an insolvent debtor should, after a certain period, one year, for instance, as was now provided in the Insolvent Law, obtain his discharge by proving to the Court that he had divested himself of all his property in favour of his creditors? They could obtain a complete law in the Quebec Civil Code, and, if they did not find it as perfect as they desired, they need only go back to the old civil law, the Roman law, to obtain all that was required for distributing the assets of an insolvent debtor among his creditors. There were, however, a great many defects, not in the Insolvent Law itself, but in the administration of it, and insolvent debtors, as well as lawyers, had found means to get round the law for their own benefit. He might mention a flagrant case, in which one of his clients was made to suffer severely. It was done in this way: His client was a genuine creditor to the amount of \$16,000; there were two or three other genuine creditors, having claims amounting to \$700 or \$800 each; the whole of the other genuine claims did not exceed \$2,300 or \$2,400. But, wonderful to say, when the writ was taken out against the party, who was an hotel keeper, they found that claims amounting to \$10,000 were put in by servants of the establishment, each servant claiming from \$100 to \$2,400. Those bogus claims were entered for the purpose of defeating his client and obtaining control of the estate. The consequence had been that the estate had been taken possession of by an assignee duly named, of course, by that meeting of bogus creditors, and the Insolvent Act furnished

scarcely any machinery for setting aside their claims. The assignee so appointed had realized all he could out of the estate, and had squandered it in law costs to fight the only genuine creditors with respect to a valuable piece of real estate. They had been contesting the case for more than a year, and it was now in the Supreme Court. That was one of the modes by which frauds were perpetrated by a majority of dishonest creditors. Creditors very frequently acted in collusion, not only with the insolvent, but also with the assignee, and obtained an unscrupulous lawyer to assist them to defraud the only genuine and honest creditors. They knew what assignees were. They frequently obtained their appointment because of their political affinities, and from assistance rendered by them at elections; in fact he thought the whole crowd of nominations made after the last elections, and when the present law went into effect, comprised political friends of the Government. He did not complain of that, because, if another Government had been in power the same course would have been followed, for that kind of patronage was exercised for the benefit of the Government in office. The class from which assignees were taken was not one composed of reliable men, and the result of the operation of the Insolvent Law had proved they were not so. The view entertained in regard to assigneeships by Hon. Mr. Dorion, when he introduced his measure, was the proper one. He intended to throw the estate into the hands of the sheriff, but, unfortunately, he did not carry through his measure; and the following Session he had disappeared from the political arena, and his successor did not entertain the same opinion. The only objection he had heard Mr. Fournier make to the proposal was that, in large centres, such as Montreal, the sheriff had already sufficient work to do, and it would be overloading his office with extra duties. It never appeared to him (Mr. Macdougall) that this was a sound objection. If additional work was thrown into a public office, such as the sheriff's office, more officials would be required, and there were always men ready to fill situations of that kind. If the Insolvent Law had

to remain on the Statute-book he ventured to throw out the suggestion that they should return to the view held by Mr. Dorion, and amend the law in that direction, thereby placing the property of insolvent debtors in hands of the regular officials of the Court and more under its control. Under the present system, it was never known where the assets of an estate were to be found; they were distributed round the country to assignees living in holes and corners, and merchants and lawyers who had to attend to that kind of business were kept on the move the whole time. Even in small towns a lawyer had sometimes to appear before meetings of creditors at half a dozen places on the same day, in addition to attending to his business in Court. It was an intolerable system, and gave rise to an enormous amount of mischief. Another class of officers under the law, which merited some attention, was the inspectors. When the idea of appointing inspectors was first conceived, it was argued they would be very efficient officers. Had they turned out to be worth anything? In his practice, he knew the first act an assignee did was to give \$25, \$50 or \$100, according to the size of the estate, to each inspector, and they were immediately tamed down and fell into the game of the assignee. The inspectors never looked into the assignee's accounts; their whole interest in the administration of the estate was to pocket their fees and look pleasant. Another defect in the administration of the Insolvent Act was the misinterpretation of the law by the Judges with respect to the discharge of debtors. Under section 56 of the Act of 1875, a debtor, in order to obtain his discharge, had to produce a set of books regularly kept, and especially a cash-book; that was to be an absolute condition, without fulfilling which he could not obtain his discharge. But the Judges had overriden that, and granted discharges against the express terms of the Statute. There could be no doubt as to the absolute nature of the expression contained in that section of the law, and in similar sections of the previous Act. Nevertheless, it was useless

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arguing the point before the Judges, and even now, with the more stringent provisions of the amendments introduced since 1875, the Judges still continued to grant discharges, no matter what kind of books insolvents had kept. With regard to the penal clause, there was an express provision made to punish insolvent debtors who behaved wrongly, but it was a dead letter. He had endeavoured, on several occasions, to obtain an enforcement of that clause, and, singular to say, the Quebec Government—that was under the DeBoucherville administration, but probably the practice might be changed now—would not allow any proceedings to be instituted under that law unless the creditor, entering the complaint, deposited sufficient money to cover all preliminary expenses until a bill was found by the Grand Jury. They even went further. In one case he obtained a true bill against the insolvent and the case was still pending. They had to send a constable from Three Rivers to Coaticooke to arrest the debtor, and the high constable's bill was \$180. They made a claim against the Government for it, but they refused to allow the bill, and the high constable had sued his client for the amount. He resisted, of course, and lost the case in the Court of original jurisdiction, but fortunately the judgment was reversed on appeal. All this went to show—though he did not say that the law was defective in any way—that this law was inoperative, and could not be put into effect; and if inoperative, and if it did not do any good in any shape whatever, they should sweep it from the Statute-book and adopt a shorter law, which would confer the same advantages and not entail the same misery, trouble and loss; and, therefore, he would vote most assuredly for this Bill.

Mr. ROCHESTER said the hon. member for Centre Toronto had told the House that this was a good law. He agreed with the hon. gentleman to a certain extent. He believed that it was so to the honest trader. There was no doubt that the honest trader, under circumstances over which he had no control, might be compelled

to assign; but this was not generally the case. Again, it might be said to be a good law for the dishonest trader, and about this he thought that there was no doubt, although, at the same time, he believed that the late Minister of Justice last Session, had taken a great deal of pains to make it workable, but as had been explained by the hon. member for Three Rivers, it appeared to be unworkable. Some persons said that this was due to the fact that the mercantile community did not understand it. His opinion was that that community understood it to their sorrow, so much so, that commercial men who were now in the House would be perfectly satisfied, he believed, to have it abolished. The law as it stood did nothing more or less than hold out inducements to commit roguery. There was no question about that. The hon. member for South Waterloo had said that traders did not understand the law; but they understood it perfectly well. Some men found it to their advantage to make over their property to others and so avoid the Act. He knew of this having been done. Several instances had occurred within his own knowledge, where large corporations, or a large creditor, up to an amount exceeding one-half of the total liabilities of the individual, would get a lien on his property; this lien would be held for a month or a little over that period, and the next thing they would hear of, was, that the individual in question was bankrupt. He knew of two cases at the present time in Ottawa where this had been done. One of these individuals had offered his creditors, independent, he believed, of the preferential claims of \$120,000 or \$131,000, one cent on the dollar; another individual owed somewhere about \$40,000 and he offered two cents on the dollar. This was why he said this law was certainly nothing more or less than the holding out of an inducement to make—if he could say so—an honest man dishonest. At all events it encouraged roguery. There was another way in which a good many traders worked. In looking over the reports of Dun, Wiman & Co's commercial agency's reports for the last five months—which reports were carefully prepared—he found

that failures to the amount of from five to six million dollars had been those of men who had been highly reported by the agency. The fact was that dishonest traders would go to these agencies, pay them a certain amount for their book, get a rating, go to the wholesale merchants and avail themselves of this rating to get credit. As soon as this was accomplished, they would carry on business so long as it suited them, and when they had made away with a certain amount of their goods to an uncle, cousin or someone else, they would throw themselves into bankruptcy. It was high time that this should be prevented. He did not know when the hon. gentleman (Mr. Barthe) intended to have this Bill enforced, if it was carried, but he hoped that, in this event, it would be enforced immediately. If this Bill were deferred, he very much feared that one-half of the commercial community would go into bankruptcy. There were many reasons why this law should be abolished. A large number of men compounded under it with their creditors and, perhaps, thus obtained their stocks for 50c., 15c. or 10c. on the dollar; and it was utterly impossible for the honest trader who paid 100c. on the dollar, to hold his own and compete with such men. He knew of shops in Ottawa where boots and shoes could be bought for 50 per cent less than first cost; and, while this was the case, it was utterly impossible that trade could prosper, or that an honest man could do business; and the longer the law was in force the worse it would be, because the honest trader was thus forced to succumb. Under these circumstances, it would be well to do away with the law for a year or two years, at all events, and try how this would work. He believed that this would save the country, and, also, that, if this law continued in force for six months longer, if the present depression continued, as had been the case during the last three or four years, one-half of the commercial community of the country would become insolvent.

MR. PATERSON said that no great amount of argument was needed on

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this question. Some hon. gentlemen had entered into an explanation of the Act as it stood; but as he understood it, the question before the House was not whether this law as it stood could be amended or not, but the abolition of it altogether, and it was to this one point alone that they had to direct their attention. It appeared to him that the views enunciated by the hon. members from Hamilton, Toronto and Waterloo, and some others, were those which must commend themselves to the intelligence of the House. This question was up last year, when the same motion was moved by the same hon. gentleman, in the same able manner. Expression was then given to the opinion that it would be very inopportune to repeal this Act at the present time, even if it were desirable, that it should be done. He thought that precisely the same argument would now apply. It might be replied: "When will the opportune time come?" Opinions might differ on this point. It appeared to him, viewing it as he now did, that the opportune time could scarcely ever come when they could dispense with a law that had for its main feature the equitable distribution of the assets of an insolvent estate among the various creditors. It would be disastrous in the extreme to have to return to the old system of preferential assignments when the man who first entered suit and secured judgment, took the whole of the estate and left the other creditors without any share. He would not deny that it was a question which the Government might fairly consider—whether it would not be advisable to move in the direction in which they had moved during the past two years—the increasing of the amount which the insolvent was required to pay, or they might even reach the point at which the insolvent would be unable to procure his discharge unless he paid the full amount of his liabilities; or, in other words, that they should have the machinery, provided under the present law, for the equal distribution of assets, while it would be no part or necessity of the law that the insolvent should be relieved from the obligations he had



undertaken. Last year the depression was more severe than this year, but still a considerable amount of depression existed, and no Canadian could help feeling a degree of pleasure when he contemplated the fact that we had passed through the depression which had, moreover, manifested itself in all parts of the world, without experiencing some of the most disastrous features that had been exhibited in connection with it in other countries. He meant that, during this depression, no want of confidence had been manifested. Confidence had been shown on the part of the trading community, of the banks, the wholesale men and retail men; and it was desirable, above all things, that this confidence should be maintained, for, when confidence was lost, what was depression suddenly became a panic. We had passed through a period of depression, but not through a period of panic. While it was true that the depression had been almost as great, perhaps, as that which existed in 1857-8, there had been nothing approaching a panic, for the very reason that in 1857-8 there was loss of confidence. Banks had no confidence in wholesale men; wholesale men none in retail men; retail men none in their customers; and the result was a complete and universal panic over Canada. He submitted that any hon. gentleman, looking at it from his standpoint, who would vote for the motion of the hon. member for Richelieu, would vote for a resolution that would inevitably produce a panic in this country, and inevitably destroy the confidence that at present existed in the different branches of commerce; and he would remind hon. gentlemen that the effect of such a panic would not be found alone among commercial men in this country. He sincerely believed that the effect of it would be found to permeate the masses of the people. What would be the result? It was easy for any one to determine it. At present we had confidence in one another, and no suits were entered; because a man that entered Court to crowd a customer knew that he injured his own interest by doing so. And if they repealed the Insolvent Law, which secured to the creditor an equal distribution of the assets, whether

he took effectual means to obtain it or not, what would be the result? It would be what was formerly experienced—self-defence was the first law of nature: if a debtor was behind with a creditor, the latter, however generous he might be, would say: "Well, I am willing myself to extend leniency, but the other creditors must be considered. They may be actuated by the same feelings as myself, but will not extend it; they may enter suit, secure judgment, seize this man's property, sell it, put the proceeds in their pockets, and secure themselves in full, and I will be left completely out." A man would reason thus, and though generous, self-defence would compel him to take the very action he anticipated that his neighbour would do. The moment that this law was repealed, it would be a race on the part of the creditors to the nearest and sharpest law officer they could find, in order that they might secure judgment and thus save themselves. In other words, commercial confidence would in this way be at once destroyed. The banks would withdraw their confidence from the wholesalers, and the latter from the retailers, and hence the retailers would be unable to give credit to their customers as they had done in times past. In consequence of these facts, the passage of this Bill would inevitably produce a panic that would affect every one in this country. He did not wish to speak deprecatingly of the business interests of the country, but from the observations he had taken, he ventured to say that there were not seven business men out of ten in Canada today who were in a position to pay all their debts at the moment they matured, though they might, nevertheless, be perfectly solvent. If the law were repealed under these circumstances, a man in arrears, solvent though he might be and possessing assets a great deal in excess of his liabilities, but so locked up that he could not at once realize upon them, would find a suit entered against him; his property would be taken possession of under judgment summons, and so his credit would be effectually destroyed, and he would be robbed of what means he possessed. What would be the

effect of this? The wholesale house which was thus summarily closed up, would be unable to extend leniency and give credit, and to carry the various retail houses, as in times past; the downfall of this house would follow, and with it down would come their customers. If the consequences stopped there, some hon. gentlemen might not care very much, as the great mass of the people they represented were not traders but farmers, mechanics and others; but what would be the result of this closing up of stores at which the farmers and merchants and all the population had been getting their supplies? These people were largely in the merchants' books. How many of the constituents of hon. gentlemen were in arrears with the merchants and in debt? Amounts would be due from them to the merchants, who would be summarily closed, and the latter would then be perforce compelled to enter suits against their customers. This would be the effect of the repeal of the law at the present time. He was willing to admit that, while many business men had taken advantage of this law, it was disastrous in the extreme, and many cases of hardship had occurred under it. He spoke warmly because he felt deeply on the subject. But to repeal the Insolvent Act until a law providing suitable machinery for the equitable distribution of the estate of a debtor, was desired and proposed to be substituted for the present Act, would not be wise, and he would oppose such an attempt. At one time there was no limit fixed at which a debtor might have his discharge. An amendment was brought in, however, fixing the limit at 33 $\frac{1}{2}$ c. on the dollar, and that was still further amended by another clause which provided that a debtor must be able to pay 50c. on the dollar before he could obtain his discharge. And if the Government went still further, and, after providing machinery for the equal distribution of estates, declared that a debtor could not obtain a discharge unless he paid 100 cents on the dollar, they would only be following the direction in which they had already been proceeding. It would be for the House to say whether they would, an-

other year hence, consider whether some alteration might not be made in the law. At present the question was not as to an amendment of the Insolvent Law, but an actual repeal, which he believed would be followed by disastrous results.

MR. JETTÉ said that although he was of opinion that the existing law was not perfect, he was not disposed to vote for its repeal, pure and simple, because it seemed such a step would tend to favour class and exceptional legislation. In most civilized countries a law similar to that of the Dominion of Canada existed, and that law applied only to traders. If he was not mistaken, such was the case in England, France, Spain, Portugal, also in Brazil and many other States in South America. It could not be said surely that the collected wisdom of all these countries would retain a law which was not an equitable one. There were two reasons why people should have such a law, and two reasons, therefore, why he would oppose the Bill. It had been argued by hon. members who had spoken on the question that there was no provision, according to the civil or common law, in the Province of Ontario, and other Provinces, for an equal distribution of an estate in cases of insolvency. In the Province of Quebec they had special legislation, and would not suffer from the repeal of the Act on that point; but they would suffer, inasmuch as their trade was not confined to the limits of their own Province, but extended to others. There was another point upon which, he thought, the law ought to stand. As far as the Province of Quebec was concerned, he would not consent to return to the old legislation as to the discharge of a debtor. Before the Insolvent Act there was no provision for the discharge of a debtor, and he was obliged, therefore, to make some compromise with his creditor. The provision contained in the present law was, he thought, a very wise one. According to the old law a debtor was obliged to have the consent of all his creditors before he could obtain his discharge, and frequently through the ill-will of a single man, who refused for years to grant him his discharge, he could not resume business. This was

certainly very hard, and he thought the present law should be retained. If some measure, which would have proved a good substitute for the existing law, had been proposed, he would have voted for it; but to vote for the repeal, pure and simple, of the present law would, he thought, be unwise.

MR. JONES (South Leeds) said amendments had been suggested by the hon. member for Montreal East, and the member for South Waterloo. Now, the fact was the existing law had been so often amended that people did not understand it. He would like to give an illustration of the working of the Act which had come under his notice during the last few days. Before doing so, however, he wished to state that he did not want to revert from the position he assumed last year when he recorded his vote against keeping the Insolvent Law on the Statute-book. It could be amended in various ways, as suggested by the hon. member for South Waterloo, and being consolidated made it easier to comprehend. The illustration he spoke of was this. On the 20th of this month he received a notice of the sale of a large estate in the Province of Quebec that same day; it was advertised, however, on the 16th of March in a newspaper. It might be said that this arrangement was made at the consent of a number of creditors representing a certain value, but as collision sometimes occurred in connection with these matters, longer notice should be given. Seeing that so many amendments had been proposed, he thought it might be proper to add an amendment providing that from four to six weeks notice of the sale of a debtor's estate should be given. He believed that under the present law an estate might be sold *en bloc* with the consent of creditors of a certain number and value by giving only 24 hours' notice. That was certainly a very improper law, and one which had caused him some loss during the past week. It was certainly not right that an estate should be sold by certain creditors who only gave about 24 hours notice to a person being, perhaps, 400 or 500 miles distant, and who was precluded therefore from offering for the estate. He would vote for the amendment.

MR. CURRIER said that hitherto he had always voted in the direction of repealing the existing Bankruptcy Law when it came up for consideration, but, at the present time, he was not so sure that it would be wise to repeal it. The hon. member for Montreal East had suggested that it should remain on the Statute book for another year, and he was every much inclined to the same opinion. The country was at present, and had been for some time, in a chronic state of panic, and it might not be judicious, under these circumstances, to vote for a repeal of the law. He was inclined to let it remain on the Statute-book, at all events, for another year.

MR. LITTLE said the law encouraged a good deal of fraud and collusion between a debtor and the official assignee or between the debtor and some of his creditors. This, of course, must be deprecated, but at the same time it was unfair that such a large and influential class as the farmers of this country should be purposely excluded from participating in the privilege accorded to other sections of the community. It was said that the farmer's occupation was not a hazardous one, but he contended that no occupation was attended with more risk than that of a farmer. His produce might be in excellent condition to-day and completely destroyed to-morrow; his cattle might be in first rate condition and they might suddenly be rendered worthless or they might die. It was a shame that this large class, which was becoming more numerous every year, should be purposely excluded, and for that reason he would vote for the repeal of the Act. If it was a benefit to any portion of the community, that benefit should be extended to the whole.

MR. BOURBEAU said that, being a merchant himself, he had had the opportunity of acquiring some experience in connection with this Insolvent Law, either from some of his debtors who failed, or from merchants in town, who were in the habit of selling goods, no matter how much under cost, or from merchants in the country who were less scrupulous, and who did not desire to act honestly, and sold their goods at

such low prices that honest merchants, who had establishments near by, were sometimes forced to tell their customers that such and such goods, in their shops, could not be sold at these prices. And why? Because the former acted recklessly and dishonestly; and, sometimes, the honest merchant also sold his goods, with a merely reasonable profit, and was obliged, as it were, to refuse the sale of certain merchandize—not willing to make a sacrifice of the same—for fear that, in asking the real price, he should obtain the reputation of selling dearer than his neighbour. They would also conceal the good notes that they obtained from farmers, or other customers, and hand over to their creditors such notes as came from irresponsible parties. He had seen tradesmen, who had thus been eager to undersell their goods, conceal the best part of their stock, show the remainder to their creditors, and obtain a discharge or a composition and defrauded their creditors. It was known that, in the country, stocks of very great value were not held; and the wholesale dealers in the cities, rather than go to the trouble of making an investigation into the affairs of a person, who went into bankruptcy in this manner, would place the matter in the hands of an official assignee; and, it was generally the result, that the assignee did not get enough to pay the costs attending these proceedings. As soon as the difficulty was arranged, the merchant, who, in bad faith, had succeeded in effecting a composition with his creditors, at 25 or 30 cents in the dollar, and secured a discharge, procured the goods that he had secreted, and brought them back to his store; he would give to a lawyer for collection the good notes he had secreted; and, at once, was thus placed on a footing of equality with the honest merchant, long in business, who had always paid strict attention to business, economized, and honoured his bills when they became due. It sometimes, however, happened that these bankrupt estates were not settled in this way. If the creditors did not wish to grant a composition to their debtor, they would put the notes which the bankrupt had handed over to them, on the eve of failure, into the hands of a

collector. Costs were thus incurred, and, as a consequence, great damage was caused to the farmers who had had the misfortune to deal with a man who had always intended to go into bankruptcy, on a favourable opportunity offering itself. There was a class of men in this country who had not the right to enter into bankruptcy. He now referred to the farmers, who were honest and respectable men, if any such were to be found, and who could not become insolvent under this law, and to whom the right of so doing in an honest way was refused by the Government, but who were always compelled to honour their bills and were under obligation to pay the whole of their debts. He concluded, in view of this fact, that, if merchants who were in the habit of failing, did not have the advantage of relieving themselves from the payment of their liabilities in full under the law, they would industriously endeavour to carry on their business carefully and properly, and overlook it closely, and would thus succeed in honouring their obligations, and paying their creditors in full. What did they see occur throughout the country, generally speaking? As soon as a young merchant obtained a certain degree of credit he became above his business; he was met in the streets, well dressed, and with a good carriage and horses; he would say: "Let us amuse ourselves, if business is bad; we will fail, pay 25c. on the dollar, and commence over again."

Some Hon. MEMBERS: Hear, hear.

Mr. BOURBEAU said that this mode of proceeding had occurred in the village where he lived, generally once or twice in the year; and the same statement was true with regard to the Province of Quebec generally. Merchants failed or effected compositions at 25c. or 30c. on the dollar, and even at less rates. These stocks were sometimes sold at very low prices and, at auction, at 50 or 60 per cent. below their value. Such stocks were brought from the city into the country and so sold, and the honest merchant had to suffer from this state of things. In view of these facts, he thought that he would be acting for the good of the merchants, who, in his county, were

MR. BOURBEAU.

endeavouring to honour their obligations, and of the farmers, in order to protect them against fraudulent dealers, in voting for the repeal of the Insolvent Law; and, in so doing, he believed he would be rendering a great and important service to his constituents.

Mr. WHITE (North Renfrew) said he thought the promoters of this measure for the repeal of the Insolvency Act should first show how the assets of a large debtor could be distributed at a less cost than under that Act. The hon. member for Three Rivers (Mr. McDougall) had admitted that it was impossible to distribute the assets of a debtor under the provisions of the Quebec law as economically as under the Insolvency Law; therefore, it seemed to him (Mr. White) that until they were able to suggest some equitable provision for the distribution of the assets of the debtor, which should be less costly than under the Insolvency Act, the law had better remain as it stood. He did not think it could be successfully contended, for a moment, that those who became embarrassed and unable to pay their debts, would be better able to pay them if the Insolvency Act was wiped from the Statute-book. Until some suggestion was made by which the debtor's estate could be realised at less cost than at present, he must vote against the repeal of the present law.

Mr. DAVIES said he quite agreed with the last speaker, and at the same time considered that under the law, as it at present stood, the realization of a debtor's estate entailed too heavy an expenditure. In the Province that he came from (Prince Edward Island) the law was carried out so strongly and so efficiently that neither the debtors nor their lawyers could drive a coach and four through it, and the creditors, as a rule, had to resort to assignments. They said, "If you put us in the bankruptcy court you will be subject to an expense of from twenty-five to thirty per cent; we offer you fifty cents in the dollar;" and very generally this compromise was accepted. He thought the law was very good as it stood at present. Of course, in a new country, there must be a great deal of credit, and, so long as

merchants gave credit, they must put up with loss now and then. He believed it was the custom of merchants to charge more for credit than for cash purchases; therefore, they had some margin for bad debts. He remembered the time when an unfortunate debtor was thrust into gaol, and treated as a criminal; if he did not find bail, he was kept in gaol, and, even if he did find bail, he was like a ghost walking about, not daring to venture beyond the limits of the town. He thought the large increase of insolvencies was owing, in a large measure, to the facilities for getting rid of debts. These were much greater than they used to be, and he did not think the repeal of this Act would lessen them, because the same facilities would be open to the trader who went into business and subsequently found himself unable to pay 100c. to the dollar; he could still resort to the pleasant system of assignments, and so on. It was alleged by the hon. member for Carleton (Mr. Rochester) that this Act encouraged fraud. It did not, as far as he could see, at all increase the assignments and compositions. He knew that before they had the Bankruptcy Act at all in his Province, these courses were often resorted to by dishonest people, and, even more so than under the present Act. He thought, as had already been stated, that it was inadvisable to repeal this Act at the present time, when the country was just recovering, as he hoped, from great commercial depression, and that it would be a very unwise policy to do so at present, whatever they might do a year hence. He doubted very much if they could make any better or more economical distribution of the effects of the unfortunate debtor, than was possible under the present law.

Mr. METHOT said he had attentively listened to the discussion that had taken place regarding the measure which was at that moment before the House, and he had particularly remarked that in all the course of the debate those who desired the abolition of the Insolvent Law pretended that it was of no use, and that it had only brought demoralisation and ruin upon

this country; while those who wished to secure the continuance of the law dared not affirm that it was a good measure, and were forced to admit that it was extremely injurious in its action, and that up to the present time it had not fulfilled the end for which it had been devised. For his part, it concerned him very little, whether the law was good or bad. It was requisite to see how it worked, and whether it worked well. If the law was a good one it should be left on the Statute book, and if it was practicable, it should be made use of; if it worked badly it ought to be repealed. But hon. members had asked that a respite of a year should be again given it. It was now thirteen or fourteen years since it had been passed, and it had been several times amended. Last year, the law was so amended as to improve it and make of it a perfect law according to the pretension of its advocates. Bankrupts were obliged by these amendments to pay at least fifty cents in the dollar on what they owed before they could obtain a discharge. In consequence of these amendments, hon. members had consented to give the law a trial for another year. The year had passed and no good result had been obtained, and yet the hon. gentleman who had just preceded him, had asked them to try it for still another year, and had said that they would endeavour to so amend it as to make it unfavourable to bankrupts, efficacious in obliging bankrupts to pay 75 or 100 cents in the dollar. But if debtors were able to pay 20 shillings in the pound, there was no necessity for their going into bankruptcy, and no need for their obtaining discharges under this Act when they no longer owed anything. Why then did hon. gentlemen ask that the repeal of a bad law should be delayed for another year? Hon. members from the Province of Ontario pretended that they did not have in their Province a law which could replace the Insolvent Act. If this were the case, the remedy was easy; the Province of Quebec did have such a law, and they were ready to lend it to these hon. gentlemen, in order that they might take a copy of it. If these hon. gentlemen were not able to devise such an enact-

MR. MÉTHOT.

ment, let them adopt that of the Province of Quebec. In view of those considerations he, for his part, supported with all his power the Bill introduced by the hon. member for Richelieu.

Mr. COSTIGAN said he never could understand why the Act should extend to only one section of the community, and why one party doing business in this country should legally pay from five to twenty cents on the dollar for his goods, while other parties had to pay 100 cents. He believed it was intended to relieve all persons unfortunate in trade, no matter what their occupation might be. He would call the attention of the Minister of Justice to this fact. Before the present Government came into power he drew the attention of the Minister of Justice of that time to the same fact; it might be a trifling matter, but in his opinion it deserved the attention of the Government. There was a clause in the Act which said that there should be at least one assignee in each county in the Dominion. In New Brunswick no such assignee had been appointed. He took the liberty of drawing the attention of the hon. Minister of Justice to this fact; he made no comment, he merely said that as the law laid down the principle that such an officer should be appointed in each county, one should be appointed in New Brunswick.

Mr. MITCHELL said he had consistently opposed for the last five years every amendment to this Bill. He believed the Bill had done its work five years ago and ought to have been repealed, and that every amendment made had been an amendment in a wrong direction. The principle ground of objection to the Bill, as it stood, was that it favoured one class of the community to the disadvantage of another, and that while the farmers were required to pay one hundred cents to the dollar, other persons to whom they sold their goods got off with paying 25 or 30 cents. He believed that the Bill had done its work, and that the longer it remained the more bankruptcy there would be. Under it the money was squandered away and the real creditors got little benefit from it. Last year he took the same exception to it, as he did now, and he should vote in favour

of the motion of the hon. member for Richelieu. He believed the same system should be adopted as once obtained in New Brunswick, namely a periodical Bankruptcy Law, a white-washing law that would last for a couple of years and then be repealed. They had not so many bankruptcies in those days, and they did not find the people suffering so much. Then, everyone tried to pay 100 cents to the dollar, but now he was told that scarcely anybody paid more than 45 or 50 cents to the dollar, and the whole average was 14 cents to the dollar.

MR. PLUMB said that he had been, on one occasion, in favour of Insolvency Laws, and he thought such laws were desirable to a commercial community; but a law so defective and so harsh as the one under discussion should not be left on the Statute-book. He discovered that the alteration of the law had been one which had done no good to the community, and he now felt he was reluctantly compelled, from what he knew of the operations of the law, to vote for the motion to repeal it.

Several HON. MEMBERS: Question.

MR. PLUMB said he believed he had a right to speak on the subject, and he should not be deterred by any small noises from the other side. He knew hon. gentlemen, who had sat on the other side of the House for four or five years, who were not able to discuss any question intelligently; and they made a point of interrupting gentlemen who rose, in the performance of their duty, to make a few remarks upon a question of great public importance, such as this. He recognized, in the uncouth sounds that were made to interrupt him, the intelligence, the brains of those gentlemen. These were their only utterances and he had no doubt that their constituents would appreciate, at its true value, that sort of eloquence. This, he considered, was an important matter, and he held every hon. gentleman who had found it necessary to change his vote, had a right to be heard in this House. The Insolvent Law should be so framed as to induce an honest trader to embrace it whenever he found himself in the position of an insolvent. It

should not be a law of terror, but such an one as would induce him to take advantage of it. Such a law as that was one he should be very glad to support in this House. With these remarks, he was compelled, reluctantly compelled, to support the measure brought in by the hon. member for Richelieu. He might say, also, that he was very much indebted to the other side of the House for the extraordinary courtesy they had shown him, and we would endeavour to merit that courtesy.

Amendment (Mr. Wood) agreed to, on the following division:—

YEAS :

Messieurs

- |                        |                        |
|------------------------|------------------------|
| Appleby,               | Huntington,            |
| Archibald,             | Irving,                |
| Bain,                  | Jetté,                 |
| Bertram,               | Jones (South Leeds),   |
| Biggar,                | Killam,                |
| Blain,                 | Kirk,                  |
| Blake,                 | Kirkpatrick,           |
| Borden,                | Lafamme,               |
| Borron,                | Lajoie,                |
| Bowell,                | Landerkin,             |
| Bowman,                | Macdonald (Cornwall)   |
| Boyer,                 | Macdonald (Kingston)   |
| Brouse,                | Macdonald (Centre      |
| Buell,                 | Toronto),              |
| Burk,                  | Macdougall (East       |
| Burpee (St. John),     | Elgin),                |
| Burpee (Sunbury),      | Maekenzie,             |
| Carmichael,            | McCarthy,              |
| Cartwright,            | McCraney,              |
| Casey,                 | McGregor,              |
| Casgrain,              | McIntyre,              |
| Charlton,              | McIsaac,               |
| Christie,              | McNab,                 |
| Church,                | Metcalf,               |
| Coffin,                | Mills,                 |
| Davies,                | Norris.                |
| Dawson,                | Paterson,              |
| De St. Georges,        | Perry,                 |
| De Veber,              | Pickard,               |
| Devlin,                | Platt,                 |
| Domville,              | Ray,                   |
| Dymond,                | Richard,               |
| Ferris,                | Robillard,             |
| Fleming,               | Robinson,              |
| Flesher,               | Ross (East Durham),    |
| Flynn,                 | Ross (West Middlesex), |
| Forbes,                | Ryan,                  |
| Galbraith,             | Scatcherd,             |
| Geoffrion,             | Scrifer,               |
| Gibbs (Ontario North), | Shibley,               |
| Gibbs (Ontario South), | Short,                 |
| Gillies,               | Sinclair,              |
| Gillmor,               | Skinner,               |
| Goudge,                | Taschereau,            |
| Greenway,              | Thompson (Haldimand)   |
| Guthrie,               | Trow,                  |
| Haddow,                | Wallace (Albert),      |
| Hagar,                 | White (North Ren-      |
| Higinbotham,           | frew),                 |
| Holton,                | Wood,                  |
| Horton,                | Young.—99.             |

NAYS :  
Messieurs

Baby,	McDonald (Jape
Barthe,	Breton),
Bécharde,	McDougall (Three
Benoit,	Rivers),
Bernier,	McKay (Colchester)
Blanchet,	Macmillan,
Bolduc,	McCallum,
Bourassa,	McQuade,
Bourbeau,	Malouin,
Brooks,	Masson,
Bunster,	Méhot,
Campbell,	Mitchell,
Caron,	Monteith,
Cheval,	Montplaisir,
Cimon,	Mousseau,
Costigan,	Ouimet,
Goupal,	Pinsonneault,
Cuthbert,	Plumb,
Daoust,	Pouliot,
Delorme,	Rochester,
Desjardins,	Rouleau,
Farrow,	Roy,
Fiset,	Rymal,
Fraser,	Thompson (Cariboo),
Gibson,	Wallace (South Nor-
Gill,	folk),
Hurteau,	White (East Hast-
Langevin,	ings),
Lanthier,	Wright (Pontiac).—55.
Little,	

*Ordered* that the said Bill be read this day six months.

House adjourned at  
Half-past Twelve o'clock

HOUSE OF COMMONS.

*Thursday, 23th March, 1878.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

CONTROVERTED ELECTIONS ACTS CONSOLIDATION BILL.

(*Mr. McCarthy.*)

FIRST READING.

MR. MCCARTHY introduced a Bill (No. 64) To make better provision for the trial of controverted elections of members of the House of Commons, by amending and consolidating the Acts now in force on that subject. He said that controverted elections were now tried, in the first instance, by a single Judge of one of the Provinces where the election might be in question. From his decision, an appeal could be taken to the Supreme Court, which might be called upon to determine the

MR. PLUMB.

validity or invalidity of the election without having opportunity of seeing the witnesses who were examined in the first instance. The appeal was not merely on questions of law, but also on all questions of matters of fact. It was, no doubt, felt very unfortunate that the tribunal, which might in the end have to determine the validity of the election, had no opportunity, nor had the Judges of it an opportunity, of seeing the demeanour of the witnesses and judging of the weight that ought to be attached to their testimony, having no more than the bald statement of the evidence as taken down at the trial before them. He thought the House would probably agree that this was not a very proper or satisfactory way of having these matters disposed of. In England it had not been deemed satisfactory that one Judge should determine so important a matter as the question of the validity of an election, and, perhaps to hon gentlemen, the more important question whether they were to be disqualified or not by the verdict of a single man. This matter was referred in England to a Special Committee of the House of Commons, which, after taking evidence, resolved that this was an unsatisfactory system, and that in the future, so far as the recommendation of the Committee went, the trials should take place before, at least, two Judges. In Ontario, this recommendation had been acted upon, and the Legislature there had amended their law by enacting that, for the future, no person should be found guilty, either as candidate or agent of corrupt practices except upon the concurrence of two Judges. The difficulty that arose here was this: that if two Judges were sitting and trying an election petition, they might come, upon important matters, to diametrically opposite conclusions, so that the result of the attempted trial might, in that case, prove abortive. In the Ontario Legislature they had a right in that event to appeal to the Court of Appeal, and that the Judges of the Court of Appeal should see the demeanour of the witnesses, placing them, so far as was possible, in the same position as the two Judges who tried it, as to the credibility that ought to be attached to



the witnesses whom the latter had examined. This was one of the courses which suggested itself to him when he thought of introducing this Bill; but, to his mind, it was not a very satisfactory one, because it involved, in a great number of cases, the necessity of appeal to the Supreme Court, which was attended with very great expense and very considerable delay. He thought the House would concur with him that, in the trial of these election petitions, it was very important that they should be disposed of speedily; that gentlemen should not sit in this House for a longer period than was absolutely necessary, and, in point of fact, that they should not sit in the House at all after it was found that they were not properly elected; and that those who were properly elected should not be excluded from the House longer than was absolutely necessary; and if an appeal was required or became a necessity, owing to the fact that the two Judges who tried the case might not concur, the result was that there must be a very great delay, which, he thought, if possible, ought to be avoided. He, therefore, proposed in this Bill that the trial should take place before three Judges, and that one of these three should be a Judge of the Supreme Court, and that the other two should be Judges of the Province in which the question as to the election arose. This would not tax the judicial strength of the Province more than Ontario was willing to be taxed in this relation and in this way, and a Judge of the Supreme Court would be able to determine at once and conclusively, so far as matters of fact were concerned, whether the election was valid and proper or not. He quite agreed with what the hon. member for South Bruce had said—that it was important that they should know exactly what, in all the Provinces of the Dominion, the law was that governed these questions, and that there should not be one mode in Ontario and another in Quebec, by which Judges might arrive at different conclusions, so that, on matters of law, he would give to any party not satisfied with the decision in this regard, by these three Judges, an appeal directly to the Supreme Court, but only

on matters of law. The result of the amendments would be that, instead of the trial taking place before one Judge, it would be had before three Judges; that, instead of there being appeal on questions of fact, the decision of these Judges, one of whom would be a Judge of the Supreme Court, would be final and conclusive and end the matter; and that, in order to have one mode of law prevailing and one construction of this law throughout the whole of the Dominion, there should be an appeal at the instance of any of the parties to the Supreme Court here. There were some other matters of detail in the Bill. One of them provided this: The law of evidence differed in the different Provinces. In Quebec, as he understood it, the law of evidence did not permit the respondent to be a competent witness, either on his own behalf, or to be called by the other party, so that in the trial of an election petition there, the mouth of the respondent was closed. In that Province, so far as the local elections were concerned, they had introduced the rules of evidence prevailing in England, for the trial of these election petitions. He proposed the same thing in this Bill. Again, as the law stood, if Parliament was dissolved while an election petition was pending, no matter at what stage it might be, or, if it had been determined upon by the Judge below, and though it was still only a matter of appeal, and the questions had engaged the attention of the different Judges to the Supreme Court, nevertheless, although the evidence had been taken, and, although the parties might still be only waiting for judgment, if the House was dissolved, the petition dropped, and the party who otherwise might be condemned as having been guilty of corrupt practices, and his agents, escaped from the judgment which his conduct had merited. He did not propose to extend those provisions to the Provinces of Manitoba and British Columbia, but to the other Provinces.

Mr. HOLTON said that the hon. gentleman must be quite aware that there was no possibility of carrying this Bill through this Session; and

why, then, should they go to the expense of printing this Bill, which was very voluminous. If the hon. gentleman really desired to improve the law in this regard, he ought to have introduced his Bill six weeks ago. He did not say that the existing law was not susceptible of improvement—for he thought it was; but, why introduce the Bill now? The hon. gentleman could have no reasonable hope of advancing it, even another stage, at the present period of the Session; and, therefore, it seemed to him that this was simply an ambitious effort on the part of the hon. gentleman to place his legislative capacity before the country in a way which could lead to no practical results. If the hon. gentleman sought the improvement of this law, he ought to have introduced his measure earlier. There might then have been a chance of the measure passing through the House; but no one of any experience in the House could fail to know that there was no possibility of a measure of this kind, in the hands of a private member, reaching any result whatever during the present Session.

SIR JOHN A. MACDONALD said because the hon. gentleman (Mr. Holton) did not choose to introduce Bills himself, though he was quite able to criticize other hon. gentlemen's Bills, yet was not able to draw Bills himself, this was no reason for making the attack on the hon. member for Cardwell (Mr. McCarthy). This attack on his hon. friend was improper and unparliamentary. The hon. member for Chateauguay said that his hon. friend wanted to show his parliamentary ability, and, therefore, introduced this Bill. He thought that the hon. gentleman (Mr. Holton) might remember that, after it was known that by no possibility could the Controverted Elections Act be passed, which was introduced by the hon. member for South Bruce in 1871 or 1872, still that Bill was introduced, and the hon. gentleman had a right then to do so. The hon. member actually said that this Bill should not now be introduced for fear it would cost too much for printing. Even if the hon. gentleman had no idea of its

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becoming law at this Session, still it was a matter to be incited rather than checked, that hon. members who had their own ideas upon great questions of public policy or public practice or parliamentary practice or the machinery of Government or the administration of legislation, should submit their views in the shape of Bills and allow the country to have them before it, and to dwell upon and digest and consider them; and that the mere question of the cost of printing should be brought up by the hon. gentleman, was worthy of him. A Bill introduced by the hon. the Minister of Finance for the better auditing of the Public Accounts was read the first time on the 19th of March, 1878, and the second reading took place on the 20th of March, only a few days ago.

**MR. HOLTON:** Of course, that will be passed. It is in the hands of the Government, which is a very different matter.

SIR JOHN A. MACDONALD said that the Government had no more possession of the House than anybody else, and the moment that this principle was given up, such action would be found to be detrimental. It was true that the practice had been to give it up too much, and to hand everything over to the Government of the day, instead of the more wholesome rule being followed, that the Government should principally deal with matters of administration, leaving to the independent action of the House, all matters of general legislation; and the more that this was done, the better it would be for legislation, the better for the permanence of the Government, and the better for the beneficial action of the Government. Every hon. gentleman stood in the same position in this House as a Minister; the Ministry of the day was simply a Committee of both Houses of Parliament to administer the country's affairs.

**MR. MILLS:** Hear, hear.

SIR JOHN A. MACDONALD said that, in matters of legislation, every member stood on the same footing, and, instead of any hon. member being checked in the manner which his hon.

friend from Chateaugay had unguardedly checked his hon. friend from Cardwell for introducing his Bill, this kind of thing should be encouraged; every hon. member should be encouraged to lay his well-matured views—as they must be so before they could be reduced practically into a Bill—before the House; and the more they were encouraged to do so, the better for the country; and, instead of having Bills sprung upon us in the third, fourth, fifth or sixth week of the Session by the Government, they could then have measures laid before the country at each Session, considered for a whole year, and afterwards brought up for practical legislation and action at the next Session.

Bill read the first time.

PUBLIC WORKS ACT AMENDMENT BILL.

[BILL No. 13.]

(Mr. Mackenzie.)

THIRD READING.

Amendments reported from Committee of the Whole read the first and second times and agreed to.

MR. MACKENZIE moved the third reading of the Bill.

MR. MITCHELL said he wished to suggest an amendment that he desired to insert. He had stated his views at some length in this regard when the resolution was under consideration. He desired that those who suffered damages by reason of the misconduct of the officials on any public work, should have the opportunity of going for redress before the ordinary Courts of the country. For his part, he had no confidence in the officers who had been appointed to investigate these claims in his section of the country, in the past; and he was sure, from his experience, that he would not be likely to have much more confidence in any officer who might be so appointed by the Government in the future. He intended to propose that these damages be not ascertained by Commissions, as suggested in this Bill; but that persons sustaining such damages should go before the ordinary Courts of law, where they would have

a fair and judicial tribunal to decide whether their claims were just or not. He moved:

“That the Bill be re-committed to the Committee of the Whole, with instructions that they have power to amend the said Bill, by providing that parties suffering damages by the neglect or misconduct in the management of the Intercolonial Railway, or any of the officers thereof, shall have remedy for such damages in the ordinary Courts of law.”

He felt it due to the interests which he represented, that he should inform the House that the claims which, from time to time, he presented to the Government, had not received that amount of consideration to which they were entitled. The remedy which the Government had hitherto proposed, was not one within the reach of the poorer classes of the community, and he felt it his duty to endeavour to obtain some other method of redress which would be within the reach of all in the different localities. He need not again go over the cases which he had brought under the notice of the Government; but he ventured to say that, although they were perfectly just, he had never been able to obtain even a fair investigation into them. He was unable to lay his hand upon a letter which he had received from one of his constituents—Mr. Thomas Flynn. That person had a field of four acres, which was taken by the Government for the purpose of bringing water to the station at Newcastle. Pipes were laid down through the field, which, of course, was destroyed—or, at all events, rendered useless—and he had received a most doleful letter, calling attention to the fact that the Government had not, since the time the damage was done, given Flynn any compensation, or even investigated into the circumstances of the case. By the extension of the same water-pipes, the fields of two others—Mr. Quigley and Mr. Grimley—similarly situated, though in a high state of cultivation, were destroyed also, and no redress was afforded them. Thus a very considerable portion of the means whereby several families derived their support was taken away, and not the slightest consideration was given to their cases by the people in charge of the Railway Department in their locality. There were others, whose

land adjoined that of those persons, who had complained to him under similar circumstances. In fact, whenever representations of this kind were made by injured persons, they were referred to some subordinate railway official, who would not take the trouble to examine into the circumstances. He must say, however, that, when the Manager, Mr. Brydges, was applied to, a reasonable answer was at least vouchsafed; but no sort of reparation could be obtained even from that quarter. A still more flagrant case than any he had mentioned, was that of Mr. William Jones and Brothers, whose property was situated about a mile from Newcastle, and consisted of a grist mill and a saw mill. These were situated on the stream from which the water was taken to supply the station at Newcastle; and the fountain head of that stream was actually dammed up and diverted from its course for the purposes of the Intercolonial Railway. The mills had, in consequence, been rendered practically useless, and the property, which was worth some thousands of dollars, was thrown on the hands of the owners. Now, that kind of thing had been going on for two years, and yet he had not succeeded in obtaining for such persons the slightest compensation. The Bill of the hon. the First Minister did not provide for any compensation being made in a case where the legal liability of the Government was not established. He would only sanction some payment being made on the fact being established. What he (Mr. Mitchell) desired by his proposition to combine in such cases the question of the law with the question of fact, and to obtain for the people some public tribunal where they might claim their rights, as in the case of a dispute between private individuals. Such a plan would obviate the necessity of keeping up this constant demand for justice, and relieve the representatives of particular counties from the labour of constantly answering letters received in relation to this matter. It would render it impossible for the Government to say that hon. gentlemen who supported claims presented against the Administration were obstructing public business. Although

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some people might think this a trifling matter, he considered it one of vital importance to the people whom he represented, and he would be lax in his duty if he did not, on an occasion like this, endeavour to obtain some tribunal or Court, in various localities, where claims could be presented at no great expense, where witnesses could be in attendance without much trouble, where the lands on which the mishap occurred might be examined, and where all might be satisfied that they would obtain justice. What remedy was proposed to meet the cases of these people? He was told the other night by the hon. the First Minister that there was a remedy in the Supreme Court of this country. We all knew what that meant. Some of the gentlemen sitting round him, who had to go there in connection with election matters, had been obliged to pay from \$5,000 to \$10,000, and how could these poor people, whose very sources of maintenance, it might be, had been destroyed, go to such a costly tribunal? How could they be expected to come to Ottawa—perhaps a thousand miles from their home and run the risk of paying, at least, from \$800 to \$1,000? The Bill was incapable of meeting the exigencies of the case, because it did not enable people to obtain redress in some simple and cheap form, such as was desired by all. He was not going to dilate on that matter, because he had already done so at considerable length, thereby bringing upon himself odium and unpopularity from the other side of the House. He had rendered himself obnoxious, no doubt, to hon. gentlemen opposite, but that would not deter him from taking every legitimate means in his power to press the claims of those persons whom he imagined to have been wronged. He was taunted the other day by an hon. gentleman on the other side of the House, who said he did not prostitute his position as a Minister to get claims settled. He (Mr. Mitchell) did not think he was guilty of such a thing. What he wished to obtain was justice. He might not always be right like other hon. gentlemen, neither was he always in order, not knowing the rules of the House so well, perhaps, as those who invari-

ably invoked them when he was pressing his claims. But he would take this justification for occupying the time of the House so often on this matter: that his efforts had resulted in one thing at least, they had resulted in the introduction of the measure which the hon. the First Minister had laid before the House. At the same time, he (Mr. Mitchell), felt that the hon. gentleman would give more satisfaction and do that which would be more conducive to a just settlement of these claims if he would introduce the suggestion now made—to give poor people the ordinary remedies to be had in the ordinary Courts of law in the several counties against the Government, just the same as against private individuals. He hoped the hon. the Premier would take into consideration the suggestions made, and consent to the Bill going back again to the Committee for the purpose of amending it in the manner he (Mr. Mitchell) had proposed.

MR. PALMER said he had always been in favour of the principle which his hon. friend from Northumberland had advocated, believing it to be one of importance; consequently, he did not like to let this opportunity pass without giving one or two reasons why he thought the principle his hon. friend contended for could be carried out effectively, to the great benefit of the country. A law of this description was enforced in New Brunswick almost from the time the railway was constructed down to the time of Confederation, and a person could bring an action against the Government, instead of against the railway employés. The Government held back for a long time and were unwilling to pass such a law for exactly the same reasons as had operated in that House—that persons would turn out their cattle to be killed for the purpose of making all kinds of claims against the Government, who would thereby lose a large amount of money. Well, what was the result? During the time that Act was in force, the amount of money paid by the Government in settlement of claims was actually less than it had been previously. The reason was obvious. Before that time, any person in New

Brunswick possessed of political influence, who pressed a claim was almost certain to obtain what he demanded, while another person who possessed no influence, received no consideration. The Government could scarcely help themselves, but they were placed in a position which caused a great deal of scandal to come upon them. Afterwards, however, they could say to any man, no matter whether he possessed influence or not, "We have looked at your claim and we have decided in point of law that you have no grounds for asking compensation," or they could say, "We have made provision that you can, if you like, go to the ordinary and cheapest tribunals and try the matter there, but if so, you must give us security for the costs." The result was that, before a man undertook to give security, he took good care that his claim was a right and just one; consequently, there were few actions entered. Hon. gentlemen had objected to the proposition made, on the ground that people might turn out their cattle to be killed in order that they might have a claim of some kind against the Government. But surely it could not be considered for a single instant that because a man's cattle were killed, he must necessarily have a claim against the Government. The railway employés must first be proved in Court to have been at fault. He thought the suggestion of his hon. friend from Northumberland would require to be elaborated in some more distinct and absolute scheme than in a mere amendment. That amendment, no doubt, affirmed the true principle, but the machinery was lacking. He held that it was improper for the rights of the people of Canada to be dependent on the mere will of any Government. In the case of some claims which he himself advocated, parties recovered in cases where he did not think there was any likelihood of their doing so, while others, whom he believed to have clear cases against the Government, received no redress whatever. There ought, therefore, to be a tribunal in which there would be no mere discretionary power exercised and in which nothing but the pure truth would be admitted. If such a tribunal could be obtained, he would support it. He was in favour of

his hon. friend's amendment, because there did not seem to be any other remedy. It was not right that the power of making an investigation should rest entirely with the Government, because although in the great majority of cases they would give their consent to such investigation, in others their refusal would occasion heart-burnings, and that refusal itself would be ascribed to political influences. Some hon. gentlemen—and among these was the hon member for Kingston—entertained the fear that if these claims were decided in the ordinary Courts, damages would be given against the Government unnecessarily. But there would be this check: The Government were not always to blame for these mishaps; generally they were due to the fault of employes, who were liable to be dismissed. That, of course, was a serious position for a servant to be placed in, and that consideration sometimes had greater influence with a jury than any other. "On the other hand," they would say, "here is this poor man doing the best he could; if we find against him he will be turned out of his employment. But, on the other hand, there is the claim made by this person who seems to have suffered loss." He had faith in the Judges and juries of this country that they would act impartially in such cases as far as they were guided by the facts before them. He knew of no cheaper mode by which small claims could be settled than in the ordinary courts of law, and larger claims could be dealt with in the higher courts. Any one who had had experience in connection with these matters must know, that the system of arbitration now in force was not so cheap a method of procedure as the settlement of claims in the ordinary Courts.

MR. MACKENZIE said he had no doubt a tolerably strong case might be made out in favour of the proposal which the hon. gentleman had submitted. It would be utterly nugatory to carry the amendment which he proposed because, as any lawyer would tell him, there would require to be a special Act for the purpose of providing a mode of procedure—something like the Petition of Right Act. The

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advisability of adopting that method might be considered, but it would be useless to add a provision such as that proposed by the hon. gentleman to the Bill. The Bill was not intended to deal with the mode of procedure at all, but simply to amend the Public Works Act so as to enable the arbitrators to employ stenographers to take notes. It was suggested, however, by the hon. member for Cumberland (Mr. Tupper), that something might be done to facilitate the rapid termination of cases. He (Mr. Mackenzie) informed the hon. gentleman that he believed they had that power already, under the amendment of 1871, and, under these circumstances, the Bill passed its second reading. He gave that opinion hurriedly, not having had time the day before to consult the Minister of Justice; but, on referring it to the hon. Minister, he considered the power was somewhat doubtful, and this clause was prepared in order to make the power definite and conclusive. It should, therefore, be accepted by hon. gentlemen as a means of obtaining evidence in such matters irrespective, altogether, of the railway authorities. The hon. gentleman must not assume, as he had assumed, that the Government was desirous of resisting claims based upon accidents caused by railway officials; the Government was as anxious as any hon. gentleman could possibly be, to pay all just claims, but, on the other hand, they knew from experience that there were a great many unjust claims. They knew that animals had been driven on the track for the purpose of killing them; they had evidence in their possession to show that the greatest carelessness had prevailed, that people, having land abutting the line, had left their gates open, under the impression that they might safely do so, as it was a Government line, and it would be very difficult for the Government to resist payment. From the districts of Rimouski and Temiscouata, there appeared to be a greater number of accidents, from some cause or other, than anywhere else, and the hon. members for those places had interested themselves in more claims that had been resisted, than even the hon. member for Northumberland (Mr. Mitchell). He

mentioned this to show the strict impartiality of the Government with respect to those claims; anything else but strict impartiality would be monstrous, whether on the part of the Inspector of Railways, the Minister of Public Works, or the Government. There could be no possible object, on the part of the Government, but to guard the public interests, and endeavour to do justice to private interests as well. He thought the Bill would accomplish that object, and, therefore, it was quite out of the question to accept the amendment.

MR. TUPPER said he trusted his friend the hon. member for Northumberland (Mr. Mitchell) would not press his amendment. As a member of the late Government, he (Mr. Tupper) resisted such a proposal as that contained in the amendment, and he saw no reason to change that opinion now. But, apart altogether from the question as to whether it might be desirable to have an Act framed for the purpose of enabling litigation to take place in such cases, he was of opinion—and would hold the opinion until it was shown that the Act had failed to accomplish its object—that the parties would stand in a better position under the Act now proposed, than under the proposal of his hon. friend the member for Northumberland. And, for this reason: the difficulty itself arose in these matters, in regard to large and important claims. The law provided that, having submitted these claims to the Board of Arbitrators, and, having submitted evidence, full and substantial justice should be done, and, he had not heard it alleged, under this Government, or any previous Government, that parties had failed to obtain substantial justice if their claims were of such a character as enabled them to be submitted to the Arbitrators. But they had also to consider the small claims; and he was just as anxious as his hon. friend the member for Northumberland to provide the means of doing complete and speedy justice to the sufferers in those cases. He was not surprised at the feelings of his hon. friend (Mr. Mitchell) because, down to the present time, parties having claims in regard to these small

matters, and, knowing that these claims were practically decided by persons they held to be interested, had felt deeply aggrieved, and, no doubt, a great deal of dissatisfaction had arisen, and, in many cases, not without just cause. They must remember, however, that most of these cases were for small amounts. He wished to ask his hon. friend whether, if a poor man consulted him as to an ox or a horse he had had killed on the Intercolonial Railway, he would advise the man to have a proper investigation of his case, not by persons connected with the railway department, but by a gentleman entirely independent, a man of standing and position, sent there by the Government, without any cost to himself, to obtain proper testimony for and against the claim, and to lay a report before the Government which would enable justice to be done? Would he advise the man to take this course, or to go to law? He believed his hon. friend would say, "I should try the milder measure first," because, a private individual, in small claims, went into law in a very unfavourable position; and, his hon. friend from St. John, in citing the New Brunswick Act had brought forward an argument fatal to his case, for under that Act the first step was to give a guarantee for costs. The man was poor, perhaps living in an isolated district, with no persons of means in his neighbourhood to guarantee for him, and his opponent in the Court was the Government of the country. He (Mr. Tupper) held that such parties would be in a better position to get speedy justice under this Act than under an authority that would allow them to go into litigation. He supposed that his hon. friend the member for St. John would not propose that a single magistrate, living in the neighbourhood, should deal with such cases. If the decision of the magistrate went against the parties, they would appeal against it, and if the Government did not think it was a correct judgment, he presumed they would appeal against it, and the case would be carried into another Court; and everyone knew that that meant that the party making the claim must have money for prosecuting it, which in many cases they would

not have. He hoped the hon. gentleman would accept the Bill offered by the Government, regarding it as a means of getting independent examinations of the cases, and in which the party making them could have no possible interest in doing anything but presenting the facts to the Government as they were. The interests of the Government would always be in favour of paying these claims if they were well founded, rather than to leave them as a source of complaint. He trusted his hon. friend would consent to give this Government measure a trial, and if it did not succeed, some other means might be taken to secure the object in view. He must say that, taking into consideration that the Government had seven hundred miles of railway—

**MR. MACKENZIE:** Nine hundred.

**MR. TUPPER** said that, having nine hundred miles of railway in operation at the present moment, and a great many hundred miles more in course of construction, he regarded this action on the part of the Government as a serious step; but if every individual case was to be carried into a Court of law, it would commence a system of litigation which would not increase the comfort of those on the Treasury benches.

**MR. POULIOT** said that he must state that the Bill would not be satisfactory except with the addition proposed. The people must have facilities for bringing their cases before a Court of law. He could mention several cases where claims had been made, but nothing had been done by the Government in the matter. In one case a party made a claim, and the engineer went to look at the place, but nothing further was done. A party in Quebec, through whose property the line passed, had given up a part of his land for the use of the railway, and was now unable to obtain payment for it. He contended that the present measure did not meet the difficulty, and that it would not be satisfactory to his constituents.

**MR. DOMVILLE** said he had brought several cases before the House where damages had been sustained through accidents, but nothing had

been done by the Government with regard to them. A man could not, however, always be running after the Government, and for this reason he supported the measure. His constituents were largely interested in this matter. Before Confederation they had three Commissioners in Halifax. That worked very well. Small claims might be allowed to be brought in the Courts, but he had no doubt that, if they did not go into the Courts, they would be settled without great expense. Another point was that it took these matters out of the hands of hon. members, who might unduly press the Government sometimes for a settlement of the claims in which they were interested. All an hon. member had to do now, was to tell his constituents to go to the Courts or to the Commissioners. Therefore, it would give him pleasure to vote for the motion.

**MR. MITCHELL** said that, strictly speaking, he had no right to address the House again on this question; but he wished to answer the points that had been raised by the Minister of Public Works and the hon. member for Cumberland (Mr. Tupper.) The Minister of Public Works had pointed out that the present Public Works Act gave the power of having this investigation by the Commissioners. The object of this Bill was to appoint a shorthand writer; this would not accomplish anything, except give facilities to the Commissioners for taking the evidence, and he did not see how it affected the question. He (Mr. Mitchell) pointed out the other day that the Commissioners would not settle points of law, and in all instances where judicial questions arose they refused to pay these claims. Then the hon. member for Cumberland stated that there would be no costs in these matters; but the Act said that, "the costs of this action should be taxed and charged as such." It was very clear the costs would be enforced on these poor people under the existing law, and he did not perceive how this Bill would affect it, because it only gave power to appoint shorthand writers.

**MR. MACKENZIE** said he thought that he had made himself sufficiently

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explicit. What he said was this: that where the hon. member for Cumberland (Mr. Tupper) raised the question about sending some party, independent of the railway authorities, to make enquiries with regard to these claims, he (Mr. Mackenzie) informed the hon. gentleman that, though it had never been exercised, the Act of 1871, amending the Public Works Act, would enable them to do this. Subsequent investigation by the Minister of Justice showed that the Act of 1871 would not really do it in so effective a way as would be desirable, and this clause was then prepared by the hon. Minister of Justice, in order to accomplish what he (Mr. Mackenzie) had stated, that he believed the Act of 1871 would do, which was to give power to send one or more arbitrators over the line to examine all cases where claims were made for accidents of this kind. It was entirely different to what was intended in the Act brought down, but being an amendment of the Public Works Act, it was competent to be inserted.

MR. MITCHELL: Then the existing Public Works Act does provide for holding these investigations.

MR. MACKENZIE said that was not the meaning of what he had said; it was not the meaning his words would convey to anyone who paid attention to them, he felt sure. He did not usually fail to make himself explicit in his language. What he had said was that the Act of 1871 had been stated by him to be, as he thought, sufficient to enable the Government to send one of the arbitrators upon a mission never undertaken before by them, to hold an examination in the case of an accident; but on the law officers of the Crown looking at the Act more carefully, it was found that it imposed preliminary conditions, which would practically defeat the object. For instance, in every case, the petition would have to be sent to the Secretary of State and have a report of the Council upon it, and obtain an Order in Council before action could be taken in any one case. Therefore, this Bill was brought in to enable one of the arbitrators to be sent without those preliminaries, the moment an accident

was reported, to examine into the facts and report them to the Government. Had the Act provided for this, there would have been no need for those amendments, because the Government could have acted upon it; but, finding it was insufficient for this purpose, the Government introduced this Bill to remedy it.

MR. MITCHELL said the effect of this Bill was then simply to avoid the necessity of this report to the Council and the Order in Council or authorization and to go on with the examination, as under the existing Act, and that the Minister, or his agent, might order this examination on his own motion. That remedy did not apply to the real difficulty which he had pointed out. The objection he had taken was that any official of the Government should settle whether parties were entitled to their claims or not.

MR. MACKENZIE: A Judge is an official of the Government.

MR. MITCHELL: A Judge was independent of the Government. Any person who depended on the will of the Government for office was not a fit and proper party to settle and adjudge claims between the Crown and the subject. The hon. member for Cumberland might be right, and the hon. the Minister of Public Works might be right, though on opposite sides of the House, the one on the Treasury benches, and the other expecting to get there very shortly. They were right in their arguments from their stand point; no doubt they wished to avoid occasioning the Government any trouble, and to give it control, as much as possible, in these matters. But the people had a right to go to an independent Court to have their claims adjudged. With reference to the question of costs, the hon. member for Cumberland had stated that security for costs being required, would practically be a barrier to the poor man against bringing his case before the Court. It would be one of the greatest securities to the Government possible. No man would give security unless he felt his claim was right and just. It would prevent dozens of cases from coming into consideration or being brought up at all,

while, in cases where the claims would be rejected, the Treasury would not suffer any loss by the trials asked for, the costs having been secured. He saw no impropriety in his amendment, and as to the point that it would not give what it contemplated, he was not tied to the form of that resolution, but had merely made it for the purpose of bringing it under the notice of Parliament and of the Government, in the hope, which he feared was a vain one, that it would be taken into consideration, and so amended that, it would cover the ground contemplated in it. He was satisfied that if this Bill passed in its present shape, without any other remedy than it contained, the sufferers would be just as far from justice as they ever were. While he knew it was useless to press on the consideration of the Government anything they did not like to adopt, he deemed it his duty to his constituents that he should put on record what he desired to have done, and, he believed, a very large minority supported his opinions. He did not want to divide the House on his resolution, and if the hon. the Premier would say that the Government would take into consideration the propriety of preparing such a measure, he would withdraw his motion; otherwise, he must insist on a division being taken.

MR. MACKENZIE said, with regard to the question of costs, he had already mentioned that there was no instance in which costs were paid to the Arbitrators. There were, really, no costs to be paid. The Government paid a salary of \$1,000 per year to such Arbitrator, and travelling expenses, and they usually had a large number of cases in each locality.

Amendment *negatived* on a Division.  
Bill read the third time and *passed*.

MANITOBA LAND CLAIMS BILL.—  
[BILL No. 46.]

(Mr. Mills.)

THIRD READING.

Amendments reported from Committee of the Whole, read the first and second times and agreed to.

Bill read the third time and *passed*.

MR. MITCHELL.

POST-OFFICE ACT AMENDMENT BILL.  
[BILL No. 17.]

(Mr. Huntington.)

CONSIDERED IN COMMITTEE.

House *resolved* itself into Committee of the Whole on said Bill.

(In the Committee.)

MR. HUNTINGTON said that the general instructions to postmasters were, under no circumstances, to open letters. The Bill did not attempt, in any way, to change those instructions. There was no intention to weaken that regulation in any possible way. The section to be amended placed it within the power of the Postmaster-General to prohibit and prevent the transmission of certain mail matter recognised as objectionable. So far as the Post-Office Department was concerned, there had been no instance, under this clause, in which letters had been opened, nor was there any intention to open letters, nor any expectation that the opening of them would be necessary. Of course, as the right hon. member for Kingston had stated the other night, letters stopped in their immediate course would naturally go to the dead-letter office to be dealt with according to the provisions of the Post-Office Act. In a case like the one which occurred lately in New Brunswick, and to which he had referred the other night, where something like a quarter of a million of letters were transmitted, the volume of this correspondence would suggest to the Department the nature of the trade going on, and, in most cases, the superscription would give indication of the character of the correspondence. In point of fact, there was no doubt that the existence of the power had been sufficient to prevent improper mail matter going into the mails. There was no intention or expectation that there would be anything like the opening of letters as the result of the provisions of this Bill, but the Postmaster-General might, under circumstances sufficiently grave, have power to deal in some way as regarded the transmission of mail matter, as to make it embarrassing to those who sought to make the mail subservient to improper purposes, and

nothing more. The want of attempts to transmit this prohibited matter had been so apparent, that there had been no need of any regulations. If this authority were given, the same experience would be found with reference to the provisions of the present Bill.

MR. TUPPER said the explanations of the hon. the Postmaster-General did not at all reassure him on the subject. The hon. the Postmaster-General had stated that it was not contemplated, under this Bill, that any official of the Post-Office Department should have authority to open a letter. So far that was very satisfactory. But he went on to say that the power rested in the Post-Office Department of dealing with a letter, otherwise than sending it to the person to whom it was addressed, existed only in transmitting it to the dead-letter office. That was a very serious power indeed.

MR. HUNTINGTON: That power exists already.

MR. TUPPER: That existed now, it was true, but it was proposed to extend it very much. No official in the Department, he assumed, could transmit a letter, properly stamped, to the dead-letter office. It was proposed to make a most serious and extensive change in the law and practice of the Department; because, if it was not intended to allow officials all over this wide Dominion, instead of sending letters to those to whom they were addressed, to intercept them, and transmit them to the dead-letter office, the law was a dead letter itself.

MR. HUNTINGTON said he thought his hon. friend has lost sight of a statement he had made, which was important. He had said the Post-Office authorities would never think of permitting postmasters to exercise any jurisdiction in this respect. But, when it became apparent, as in the case at New Brunswick, that a great fraud was being perpetrated, the Postmaster-General interfered.

MR. TUPPER said he was just coming to that. Surely, this was intended to extend the power and change the law at present, under which every post-office official was bound to deliver every letter properly stamped.

MR. HUNTINGTON: There are prohibitions in the law; we are only adding one item.

MR. TUPPER said, under the power conferred in this Bill, the effect would be that the official, instead of delivering the package of letters to the party entitled to receive it, would be obliged to transmit it to the dead-letter office. What was done with all the letters the moment they reached the dead-letter office? They were opened. Suppose the Government, for any reason of their own, had letters sent to the dead-letter office, and the official in charge had marked on them the authority of the Post-Office Department that they should go to the person to whom they were sent, incredible mischief might, in the meantime, have occurred. How could the hon. the Postmaster-General know they were a swindle? Who was to sit in judgment in all these cases? Not the Postmaster-General, with all his intelligence and his knowledge and information, but a host, a vast multitude of very indifferently-informed persons all over this country. Those postmasters were very respectable men, well qualified to carry out the plain instructions that, when a letter came to their hands, it should be sent forward, but who were very poorly qualified, in point of knowledge on this subject, to undertake to sit in judgment on the communications which came to their hands, and to decide whether they should go forward to the persons to whom they were addressed, or to intercept any communication and send it back. He did not say the Government would knowingly, for a single moment, permit any official in their service to act improperly, or do anything not absolutely necessary to carry out this law.

MR. HUNTINGTON asked if the hon. gentleman would allow him to ask one question. The amendment they were discussing was an amendment to fourth sub-section, which he would read:

“ Make regulations declaring what shall and what shall not be deemed to be mailable matter for the purpose of this Act, and for restricting, within reasonable limits, the weight and dimensions of letters and packets and other matters sent by post, and for pro-

hibiting and preventing the sending of explosive, dangerous, contraband or improper articles, obscene or immoral publications, or obscene or immoral postcards."

In what respect did the principle which underlay the amendment at all deviate from the clauses which existed in the law?

MR. TUPPER: If it is not proposed to alter this law there is no necessity for the amendment.

MR. HUNTINGTON: It is a deviation as to an additional item, but not as to the principle of the existing law.

MR. TUPPER said he thought it extended the principle very much, and would be very much misconceived. It was intended to violate the secrecy of correspondence, or it was not. The hon. gentleman knew that, as the law now stood, obscene publications and a certain class of newspapers, whose character was very easily ascertained, as they were not enclosed like letters, were prohibited. All the official had to do was to cast his eye on those papers to obtain *prima facie* evidence that they came under the prohibition of the law, and the hon. the Postmaster-General could give instructions relating to them. But the violation of the secrecy of correspondence was one of the most vital things that could be proposed in any Act. He would again state that this was a most inopportune time to present the Bill. Would any hon. gentleman who expected to present himself again before his constituency for election to this House, be willing to have the Bill passed, just on the eve of a general election, a Bill which would enable any postmaster, among the thousands of persons discharging that duty, to intercept any package of letters, perhaps thirty or forty letters or circulars of a party character, sent for political purposes. There was a time when hon. gentlemen opposite held that coalitions were immoral. They, on the Opposition side of the House, did not hold that doctrine; and, therefore, if they sent out documents to show that it was proper to have coalitions, the hon. the Postmaster-General might say they came under the clause as to immoral

publications because they propounded immoral doctrines. As a member of the House and member of one of the great political parties, he was unwilling, at this time, that there should be placed in the hands of any of the thousand post-office officials in this country, among whom were many very officious people, and many who were anxious to promote the interests of their party, the power of opening letters under the pretext that they came within the scope of the law, or of sending them to the dead-letter office at Ottawa to be opened, and then sent back to be marked as not having been properly intercepted, and then sent forward. Most valuable time would have been lost—time that might be fatal to a candidate running his election for a seat in Parliament. There was great objection to extending the powers the Post-Office authorities now possessed, and still greater objection to doing that at the present time. He had entertained the hope that the same reasons that induced the hon. gentleman's predecessor in the Post-Office Department, when he introduced the Post-Office Act, to yield the legislation he had in contemplation, would have induced the hon. the Postmaster-General to have omitted that proposal on a mere suggestion being made.

SIR JOHN A. MACDONALD said he did not entertain such grave apprehensions as did the hon. member for Cumberland, in regard to the opening of letters. He was used to that.

MR. HUNTINGTON said it was the opinion of the officers of his Department that the power already possessed by the Department had been of great use, without exercising any authority, in preventing the distribution of immoral publications which threatened to flood the country. The first intimation the Department had was that 250,000 letters, or a postage of \$8,000, was paid in a few months at a little country office, and it was thought proper the Department should have the power to stop the circulation, through the post, of such improper publications. They had been able to stop their circulation in a harmless way without opening any letters, by being able to advise the promoters of such literature that the

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Department had the power to stop the transmission.

SIR JOHN A. MACDONALD said he desired to know whether letters had been opened, and whether, as a matter of fact, the power given in the Act had been exercised?

MR. HUNTINGTON said he did not know of any instance of a letter having been stopped; but, no doubt, there had been some exercise of the power as regarded immoral publications.

MR. MACDONNELL said that great caution should be exercised in extending the powers of postmasters, for experience showed there were some very curious officials among them. There was a case from the county which he represented now before the hon. the Postmaster-General, involving the opening of a letter deliberately by the postmaster, his only excuse or apology for doing so being that he possessed such authority. As regarded packages or printed matter, which did not contain private information, it was of little importance whether such power was taken; but it would be found very inconvenient to give to any postmaster the power to deliberately open, on his own suggestion, all letters coming to his office. He had no objection to extending the powers asked to the Postmaster-General and those under him to all mail matter, except letters. He considered it was his duty, from what he knew by experience of the character of some of the postmasters, to oppose that part of the Bill.

MR. BROUSE said he did not perceive that the Bill proposed that the Postmaster-General should have the power of opening letters. He (Mr. Brouse) knew, from his residence in a town lying near the boundary line between the United States and Canada, that a very large quantity of immoral publications was transmitted through the mail, and that no Act of the late Government was more satisfactory to the country than that which gave postmasters the power to stop such matter from going forward to its destination, but transmitting it to the Department at Ottawa. Large packages of that nature had been sent to the dead-letter office which, if sent through the

country, would have had a most immoral tendency. The United States had passed a law to prevent lotteries and the large circulation of literature which had taken place with a view to deplete the pockets of innocent dupes. That law had driven those parties out of the United States, and they had made Canada the basis of their operations. At St. Stephen's, in New Brunswick, that business had been carried on to an alarming extent, and notification had been given that the parties intended to carry on the same operations at St. Thomas, Ontario. At St. Stephen's, from \$35,000 to \$40,000 was received in reply to communications sent respecting lotteries. If the Government could reach those persons and prevent the Canadian people being swindled, it was their duty to adopt such a course. He regretted that some of the newspapers inserted notices and advertisements of a nature such as to injure the morality of the people, and he would be glad if a law were passed that would reach such cases. He was gratified that the hon. the Postmaster-General had adopted measures to suppress the lotteries in this country. The present Bill did not give postmasters additional powers, but gave to the Post-Office Department additional means to secure the desired object.

MR. HUNTINGTON said it was entirely a misapprehension on the part of hon. members to suppose that any power was taken in the Bill to allow country postmasters to open letters, and that it increased the powers of postmasters as to the treatment of contraband mail matter. They proposed simply to deal with the law which existed, and had existed for many years on the Statute-book, by which the Postmaster-General had power to prevent or regulate the transmission of certain mail matter. Country postmasters could not, under any circumstances, open the letters of the right hon. member for Kingston to ascertain where he would speak on a certain night. The Postmaster-General could have no power over letters which the law did not give him. The Post-Office Department could issue regulations with the view of giving

country postmasters the power. The law had been in existence some years, and the only changes the Government proposed to make was to add to the list of contraband mail matter, communications respecting lotteries. If they were commencing *ab initio*, and discussing new principles, he could quite understand the objections, which he also respected now; but they were changing the law in no respect, but simply adding to prohibited matter letters from promoters of lotteries. The Government had changed no principle in the present Act, and had added no power except the simple one to which he had referred.

**MR. PALMER:** Does the present Act allow the opening of letters?

**MR. HUNTINGTON:** It does, undoubtedly, through the dead-letter office, and that only.

**MR. PALMER:** By this law, you will have the right to open letters?

**MR. HUNTINGTON:** No.

**SIR JOHN A. MACDONALD** said the hon. the Minister had very truly said that the Bill did not extend its operations beyond the Post-Office Act, 1875. It extended, however, the objects to be prohibited. It would not give additional power to the hon. the Postmaster-General, but it enlarged the area of subjects over which he could act. The Post-Office Act of 1875 did not give the Postmaster-General the power to open letters or to stop letters or papers as an act of administration, whether immoral, obscene or irreligious. All he could do was to pass certain regulations prohibiting the passage through the mails of obscene, irreligious, etc. matter, and that power was conferred by sub-section 4 of clause 10. Although the hon. gentleman had possessed that power since 1875, there had not been any regulation passed. The Postmaster-General had taken no action whatever, although the Act was passed for the very proper purpose of suppressing the circulation by mail of that literature, and if any letters or papers had been stopped or delayed, it had been an improper interference by the country

postmasters or the hon. the Postmaster-General or Inspector because no regulation had been passed by the Department with respect to that clause. Although the hon. gentleman at the head of the Post-Office Department admitted that this had been a great evil, yet he had not put in force any regulations or taken any legal steps to prevent immoral and improper books being circulated; nevertheless the hon. gentleman thought it was necessary to extend the area of his powers. Surely, if the Act existed, the first thing to be done was to pass regulations for the purpose of preventing the circulation of that literature. The hon. the Postmaster-General, however, declared that the very fact of such a provision being on the Statute-book had had the effect of stopping the business. A Statute was not passed as a *brutum fulmen* and a mere threat. When it was passed, and when they enacted clauses like this, they were to be carried out; and, if they were merely to put on the Statute-book a clause which was not to be placed in operation, but to be held as a wand over the public, this would be an abuse of the whole principle of legislation. Legislation must be carried into action, if made at all. Besides this principle, they objected, the other day, to a portion of this measure. When he asked the hon. the Postmaster-General, during the discussion of this Bill the other day, the question, the hon. gentleman actually did not know whether any regulations had been passed under this clause of the Act of 1875, but rather thought it was the case, and promised to bring them down on the next discussion of the Bill. It appeared that this clause had been absolutely a dead letter on the Statute-book; it was never put in force; it had never been acted upon; it had never been used from 1875 to 1878, and yet, such were the great evils suffered during all these years, when it had been utterly neglected, from 1875 to 1878, that the hon. gentleman wanted additional powers; and, he dared say, that during the past three years, the hon. gentlemen knew of no regulations having been passed requiring extended powers, any more than were required the powers sought for in this clause.

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MR. HUNTINGTON: To remove misapprehension, I may mention that there are no general regulations; but there have been regulations to meet specific cases, if there were any specific cases to deal with. I stated that in my opening remarks.

SIR JOHN A. MACDONALD said that this was exactly what this clause would lead to. The hon. gentleman had no right to make a distinct order for a distinct case. The Statute was for the purpose of passing general regulations, which were, generally, supposed to be included in the clause.

MR. HUNTINGTON: That is the rule, we believe.

SIR JOHN A. MACDONALD said he had no doubt that, as a matter of law, this clause did not give the hon. gentleman power to say: "I shall pass a regulation, and I shall open this letter. Here is a letter which I suspect to be immoral or obscene; it may be in favour of a lottery; and I will make a regulation that I shall open this letter." This was not what the Statute meant. The hon. gentleman must make general regulations, and these regulations should be carried out. As regarded the additional clause, he thought that it was too vague, as he had pointed out to the hon. gentleman, who seemed to think that this was the case. This added to the power of the Act of 1875, by providing for a prohibition to prevent the sending and delivery by post of letters, circulars, or other matter concerning illegal lotteries. This language admitted, to a certain extent, that there were legal lotteries. It also mentioned "so-called gift concerts." On this point there might be a great deal of difference of opinion; gift concerts might be fraudulent in their character or quite innocent. The Press of the country offered to make a gift of a book, or watch, or chain, or chromo, or a number of things of that kind to a number of persons clubbing together to subscribe to their papers. He did not think that the action of those who subscribed a certain sum to hear music, and so much to get a chromo of the leading singer at a concert, came under this clause; and he did not believe that these should be

excepted. The clause continued, "nor illegal lotteries." Of course, if illegal, they were illegal; and, if there were legal lotteries—if there was such a thing, and he believed that there were such things in Lower Canada, specially protected by law—these were excepted. The clause continued, "so-called gift concerts, or other illegal enterprises of a like character." Who was to judge of the "like character?" There was no similarity between any legal lottery and a gift concert. His hon. friend (Mr. Tupper) said this was worded so that it meant everything. Enterprises of what character? Of the character of a lottery or a gift concert? What did this mean? The clause went on, "offering prizes—" Why should they not offer prizes? "Or concerning schemes devised or intended to deceive or defraud the public." Who were to judge of this? Was the hon. the Postmaster-General to decide whether a scheme, which might be honest or benevolent and, perhaps, for the purpose of building a church, or for any charitable purpose, was fraudulent, or a sham, or a humbug? And, therefore, this was not a subject to be taken by the neck, throttled and put down. They were, in this clause, handing themselves over, body and bones, with all their liberties and franchises, to the hon. the Postmaster-General. It was said a long time ago, when the Excise laws were passed in England with severe and stringent rules, according to which the Excise officers were permitted to enter breweries and distilleries, and to have most inquisitorial power,—that they granted to the dipping rule what they denied to the sceptre, and that the power which they would not give to the Crown, they gave to the Excise officer and gauge-man. Here they were actually giving to the hon. the Postmaster-General or his subordinates or whoever he appointed to carry out the regulations, the power to stop letters because they concerned gift concerts or lotteries or illegal enterprises of some kind or other, and because they offered prizes or concerned schemes devised or intended to defraud the public for the purpose of obtaining money under false pretences. The question as to

obtaining money under false pretences was one that could only be decided before a jury; no man, no one man had, or ought to have, the right in a free country to say that a person was acting under false pretences. If this were allowed, this would no longer be a free country. The clause continued: "Whether such letters, circulars or other mail-matter be addressed to or received by mail from places within or without the Dominion of Canada." Looking at the fact that, for three and almost four years, the Post-Office Department had had the power to make regulations on cognate subjects of this kind, that it had altogether neglected to make regulations of any kind and that they were now without protection against the circulation of such illegal matter, under the Act of 1875; it was too much to be called upon to pass a general clause of this kind at this time. This was calling upon them to surrender too much of the sanctity of the Post-Office and the security which every man felt in this country and in England—and which was perhaps felt in no other country save England and her colonies—the sanctity of the letter which had always been protected by our laws. This provision would go very far indeed to infringe upon it, to create a suspicion which was disastrous to the interests of the post-office, disastrous to communication between the different parts of the country, and a direct infringement, in his opinion, upon the liberties of the people.

MR. BLAKE said that, if he was rightly informed, the clause which it was proposed to amend was not for the first time inserted in the Act of 1875; it existed in the previous Act. He was sure that some provision of the kind must have existed because his hon. friend from Grenville (Mr. Brouse), had a moment ago stated that several years since—about eight years ago, bushels of immoral and obscene publications were, owing to instructions or regulations of some description, sent from the post-office at the town in which the hon. gentleman resided to the Post-Office Department. He presumed that his hon. friend the Postmaster-General—if he was correctly

informed—owing to the fact that such a regulation had existed before 1875, had not made any new regulations or instructions on the subject; and some regulations there must have been, or otherwise, what his hon. friend from Grenville said did in fact take place eight years ago, could not possibly have taken place.

SIR JOHN A. MACDONALD: The Postmaster-General said that he would bring down any such regulations to-day.

MR. BLAKE said he did not know about this, but they had the fact mentioned before them, and it was indisputable testimony. His hon. friend personally knew that, at the post-office in question, there were, under instructions from the Post-Office Department, or under regulations or an order, large numbers of obscene and immoral publications stopped and transmitted to the Postmaster-General; therefore, whether the hon. the Postmaster-General was able to find the regulations or not, such must have existed. The argument of the right hon. member for Kingston, that the clause was a dead letter, was, therefore, answered, and answered by facts. It had turned out that this clause had been operated, and he was sure that many hon. members would recollect, with himself, that, within the last two or three years, some excitement was created in the daily Press of the country respecting the allegation that the old practice, which had been repressed, as was alleged, for some years, of transmitting immoral and obscene publications into this country, had been revived, and an attack was made on the present Government, on the ground that it had been remiss in the exercise of the powers with which it was entrusted, to prevent the recurrence of this abuse. The discussion went on, and it was said fresh orders were given. All this appeared in the public prints within the last two or three years. He concurred in the view taken by the hon. the Postmaster-General that nothing in the law, or in the law which it was proposed to amend, would give any local postmaster, or to any but the central authority, the power of

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opening a letter. There was, as far as he could see, in the Post-Office Act, power to open a letter.

SIR JOHN A. MACDONALD: At the Dead Letter Office.

MR. BLAKE: Yes; and there was one power besides, which related to the case where letters were supposed to contain dutiable goods. The Postmaster-General was then authorized to instruct the postmasters to open them in the presence of the party concerned, under certain specific regulations made for that specific purpose. With this exception, the only power under which a letter could be opened was, when letters prevented from being delivered were sent to the dead-letter office, where regulations might be made for the opening of them, but nowhere else, and they were returned. This, of course, only mitigated, it did not destroy, the objection; but it mitigated it enormously, and it entrusted, under the most precise regulations, he apprehended, such discretionary power as it was now proposed to entrust to the postmasters throughout the country. It mitigated, therefore, very much, and removed a cause of objection, which would be a very serious matter, if it existed; but it left the question which the hon. member for Kingston had brought forward in a mitigated shape: namely, first of all, the power that was given with reference to letters, and, secondly, that, under the operation of the law, these letters might afterwards be opened and re-transmitted to the senders.

SIR JOHN A. MACDONALD: It is quite true that, under the clause which has operated, the letters are returned to the dead-letter office before they can be opened; but the Postmaster-General cannot make distinct regulations for the stopping and the sending on of papers, without reference to their being opened, and without their being returned to the dead-letter office.

MR. BLAKE said it was now proposed that the Postmaster-General might make regulations for preventing the sending of these letters. Then they lay in the office, and letters which lay in the office undelivered, for any

cause, under the operation of the dead-letter clause, the 38th, were sent to the central office; and, there, under regulations which the Postmaster-General might make, they could be transmitted by the postmaster to the Post-Office Department, to be opened there, etc. So that it was perfectly plain that, under the operation of this clause, these letters, which were transmitted by the postmaster to the central office, and this was all that he could do—would be, under regulations to be made by the Postmaster-General, there opened and returned.

MR. BOWELL: Does not that apply to letters already sent to their destination?

MR. BLAKE said that the clause related to:

“Letters or other articles which from any cause remained undelivered in any postoffice, or which having been posted cannot be forwarded by post.”

He presumed that this would not be made operative until a regulation was proposed to prevent a letter being forwarded by post. It came to the post-office and could not be forwarded.

MR. BOWELL: The postmaster must be the judge of what it is proper or improper to send.

MR. BLAKE: Subject to the regulations. The postmaster's discretion was limited by the regulations of the Postmaster-General; subject to that discretion he could stop and must transmit certain letters to Ottawa; this was the routine that would be pursued. The Act which the hon. member for Kingston said was novel in 1875, or, rather wide, was, in fact, passed in 1867; and this was not the first of it, for it was passed in 1839. It was a mere repetition of an Act which had been on the Statute-book for many years, and he dared say that the difficulty which the Postmaster General had experienced in finding the regulations, had been simply due to the fact that they were old. He supposed that they were of many years' standing, applied from time to time as occasion arose; and if there had been a very great neglect on the part of the Postmasters-General since 1875, in

not performing their duty under the Act of Parliament, in not making these regulations, and in leaving this as a *brutum fulmen* on the Statute-book, let them multiply the neglect that had taken place between 1875 and 1878 by the neglect which had thus occurred from 1859 to 1875, and ascertain how great had been the neglect of the hon. gentlemen since that time.

SIR JOHN A. MACDONALD: *Vous avez changés tout cela.*

MR. BLAKE said he believed they had. He merely made these observations to remove what seemed to be an unfounded objection as to the extended powers proposed. He did not, however, think that this disposed of the real question. They were proposing, as the hon. member for Kingston had stated, a most serious change, and they must remember that the clause which had appeared in these Acts since 1859 had been confined to the power only of stopping publications, and what might be almost equally considered for this purpose a publication, post-cards, which, on their face, contained immoral or obscene matter. The difficulty which they had to grapple with, it must be confessed, was very serious. They had for a long time read of swindles perpetrated, and that a very large sum of money had been obtained from gullible people by these operations; and he thought it would be admitted that if some unobjectionable step, could be found out, it ought to be taken in order to do this. He held himself quite free to concur with any hon. gentleman in Committee on the Bill, if a more unobjectionable way than the present could be discovered, in this regard; nor was he prepared at this moment to say that they ought to adopt this clause in its present shape in Committee. He believed, however, that something ought to be done and some step taken to give the same power to protect the people of this country against transactions, which had not merely now been threatened, but actually been accomplished. One way had occurred to him by which some relief might be given—by authorizing the Postmaster-General, or the local postmaster, to print a stamped announcement on the envelope of what

MR. BLAKE.

he believed was the true character of the transaction, and then let it go forward with this official announcement to the party to whom it was addressed; and if the latter was then cheated, why, it could not be helped. This, it seemed to him, would remove the objections taken with reference to the opening and the delay, to any serious extent, of letters. They ought to satisfy themselves about this, and provide some remedy and convenient mode for the purpose in Committee, and, therefore, he considered that this discussion would be more satisfactorily continued in Committee of the Whole.

SIR JOHN A. MACDONALD: That is a good and friendly suggestion.

MR. PALMER said he quite agreed with the statement that this was a very great evil, which ought to be remedied; but, with reference to this Act, he had asked the hon. the Postmaster-General whether the former Act authorized the opening of letters. He was under the impression that it did not, and so he was answered; and, so he thought on reading the Act. He apprehended that, if this Bill were passed in the terms proposed, the Postmaster-General would have the power to make regulations and open letters, and he would state why he thought so. His hon. friend knew, of course, that the rule for the construction of Statutes was that a person was not only authorized to do what the Statute directed, but also everything that was absolutely necessary for the purpose of carrying out what the Statute directed. The fourth section of the Act—which had been altered—read thus:

“ Make regulations declaring what shall and shall not be deemed to be mailable matter, for the purposes of this Act, and for restricting, within reasonable limits, the weight and dimensions of letters and packets and other matters sent by post, and for prohibiting and preventing the sending of explosive, dangerous, contraband, or improper articles, obscene or immoral publications, or obscene or immoral post-cards.”

His hon. friend would see that this said nothing with regard to letters. True, it might be said that letters of a certain description might come within that general statement; but, if

any Judge undertook to construe this Statute, he would say that, in order to carry it out, it was not necessary to open a letter. But, a letter was not a publication, and he apprehended that the Bill could not apply to a letter at all. Now, see how his hon. friend proposed to alter it. Sub-section 4, of the Post-Office Act, 1875, was amended by adding thereto, "and for prohibiting and preventing the sending or delivery by post, of letters, circulars or other mail matter, concerning illegal lotteries, etc." How was that to be done? By refusing to send any letter of the description here referred to. But, how could that be done, unless the letter was opened? He affirmed it could not be done. He affirmed that any postmaster would be perfectly authorized by this Act to open any letter. He would like, however, to hear from the Postmaster-General how he proposed to prevent the sending of a letter of a certain character unless it was opened.

**SIR JOHN A. MACDONALD:** He makes a regulation to stop all suspected letters.

**MR. PALMER:** And, therefore, the postmasters must determine whether a letter is of that character or not. Is a postmaster to have the right of opening a letter which I send because he suspects it? I apprehend not. The passing of such a regulation would give the Postmaster-General power to authorize the opening of the whole correspondence of this country. If it is necessary, in order that the people may be protected from fraud, to stop certain communications, of course the difficulty must be met. I have not the slightest objection to approve of the legislation up to that point; but to give the Postmaster-General the power, in this free country, not only to stop, but to open any man's correspondence, is asking power which the people will never grant to this or any other Government.

**MR. PLUMB** did not think that any evil complained of in respect of sending letters was so great as this. If they once began in the direction proposed, there was no saying where they would stop. It was impossible not to see that, if a power of this kind was put into the hands of the Postmaster-General, it

must be liable to very great and serious abuse. It was a very serious matter to empower a postmaster even to detain or intercept a letter, but it was still more dangerous to permit him to open communications passing through the post-office. There was great force in the remarks made by the hon. member for South Bruce, and he thought they met a difficulty in the way of limiting the extreme measures proposed by the Bill. That proposal would not, if adopted, do any harm in the case of letters which were not of a character which would justify their being stopped, or such as it was desirable, for public morality, to interfere with.

**MR. HUNTINGTON** said he quite concurred in the suggestion made by the hon. member of South Bruce as well as the member for Kingston, but he thought it would be better to discuss the matter in Committee, that alterations might be made in the Bill, if required.

**MR. PLUMB** said that, before the House went into Committee, he wished to say that the suggestion made by the hon. member for South Bruce would, to a certain extent, meet the difficulties of the case. Of course, there were great difficulties connected with the whole subject, but they must not do one wrong to cure another. He could not agree to power being given in any quarter which would lead to an interference with the sanctity of private correspondence to such an extent as to open letters, or to take them out of their proper course, or to detain them in any way except as dead letters. The power proposed to be granted was a very serious one, and might be attended with greater evil than that which it was intended to remedy. He heard an hon. gentleman on the other side say that certain lotteries had been prohibited in the United States, that in consequence a swarm of adventurers had found their way to Canada from that country, and that they were carrying on their nefarious business here. Now, he begged to inform the hon. gentleman that lotteries were still legalized in many of the United States; that there was no law of Congress or of

general legislation which could affect questions of this kind. Every State was left to take care of its own interests in that respect, and he knew that in Louisiana and Kentucky lotteries were legalized. Indeed, some of those were Government lotteries and attached to their prospectuses were the names of some of the principal people in Kentucky. Of course, the lottery system was one liable to great abuse, and he had no doubt that, by checking the sending of such publications, a great many innocent people would be saved from risking or losing their money. The stoppage of improper publications and books was a different matter altogether. He trusted the Postmaster-General would accept, in some form the suggestion made by the hon. member for South Bruce, which he had no doubt could be put in a workable form, and thus the great objection which attended the Bill as it at present stood would be removed and the measure be made acceptable to the House.

MR. BLAKE said he was glad that his suggestion had received such general acceptance. What he proposed was that on the covering of letters, circulars and other mail matter suspected to be forwarded in connection with illegal lotteries, a warning should be stamped.

MR. PLUMB: Who is the stamp to be affixed by?

MR. BLAKE: By the postmaster in the district from which the letter is sent.

SIR JOHN A. MACDONALD: There can be no objection to a person stamping a letter if the Postmaster-General says he suspects it to be of a fraudulent character.

MR. MASSON: The person who marks the warning on a letter may be a very inferior man to the one who receives it.

MR. MITCHELL: There is this difference: The person who receives a letter having no intimation may not know that there is any fraud in it; but a person who receives thousands of letters every day, who knows the circumstances, the localities, the people and the rumours about them, has some foundation on which to judge.

MR. PLUMB.

MR. HUNTINGTON: It will only be when a statement of facts has been submitted to the Postmaster-General that he will give authority for persons being warned. I dare say this power might obviate the evil.

MR. TUPPER: There is, no doubt, room for a difference of opinion as to how much good this will do, but I do not think it can do any harm. I think it entirely relieves the Bill from its objectionable character, and I do not now see the least objection to a measure of this kind, because, if it has any effect at all, as my hon. friend from Northumberland stated, it gives district postmasters an opportunity to warn persons who might otherwise become the victims of fraud.

MR. HUNTINGTON: I accept the suggestion for the purpose of meeting the views of hon. gentlemen, and if it should prove inefficacious, subsequent efforts of legislation may be necessary.

MR. PLUMB: When a person receives a warning of this kind, he may, if the letter evidently emanates from a fraudulent source, see the postmaster about it.

MR. BOWELL: The amendment suggested destroys altogether the object which the Postmaster-General or his Department had in view in suggesting a clause of this kind.

MR. MACKENZIE: No.

MR. BOWELL: It is a matter of opinion. The Prime Minister, as usual, says "no," but if he allows me to state my views, I think I can give some reason for the opinion I hold. The object I understand the Department has in view is, to prevent the circulation of immoral productions or letters which might induce people to purchase improper lottery tickets, by which they might be swindled. But by the adoption of the suggestion made by the hon. member for South Bruce, the object of the Bill is destroyed, because every letter, whether suspected or not, will be delivered to the person to whom it is directed. Besides these propositions from fraudulent lotteries, I have seen letters asking persons to purchase counterfeit money, such letters have been brought to his office by parties who received

them, and it is just possible that, despite the warning stamped on the envelope, the person to whom a letter of this kind is directed will enter into transactions of that nature.

MR. MITCHELL: If a man chooses to pay no attention to the warning, just let him alone.

MR. KIRKPATRICK: Certainly.

MR. BOWELL: I take the object of the law to be to prevent temptations being put in the way of people who are likely to accept propositions of that kind; and, I repeat, that a man is just as likely to do so when an envelope is stamped with a warning, as when it is not. It seems to me that you might as well withdraw the Bill altogether, as introduce this amendment, because it will thereby be rendered utterly useless so far as the object which the Government had in view was concerned.

MR. HUNTINGTON said the hon. gentleman must remember that, to a transaction of this kind, there must be two parties—knaves and fools; the knaves sent the letters and the fools received them.

MR. BOWELL: The receiver may be as big a knave as the sender.

MR. HUNTINGTON said they did not want to protect a man who, with his eyes open and aware of a fraudulent attempt being made, should choose to risk his money improperly. Of course, the fool would lose his dollars, the object of the sender of a fraudulent letter being merely to gull him. It was with the view of giving him a warning that this Bill was introduced. We were face to face with a very considerable evil, and we desire to do the best we could to remove that evil. Objection had, however, been taken by hon. members to any interference with the sanctity of private correspondence, and it was with the view of obviating, if not altogether removing that objection, that this amendment had been generally adopted. He believed the plan suggested would have a very good effect, and, if any fool, after receiving such a warning stamped upon a letter by a post-office official, persisted in sending money, he deserved to lose it.

MR. BOWELL said no doubt that the hon. member for South Bruce was correct, so far as the evil was concerned; but no man would be deterred from entering into a speculation of that kind, because a warning was stamped on the envelope.

MR. BLAKE: It is not a speculation.

MR. BOWELL: It is. A man buys a lottery ticket in the hope of making money.

MR. BLAKE: It is a fraud. There are no prizes.

MR. BOWELL: But that does not meet the point. I think, if the Postmaster-General withdraws his Bill altogether, it will be more creditable for him.

MR. MITCHELL enquired whether, if a letter was not sufficiently stamped, it would be sent to the dead-letter office.

MR. HUNTINGTON: My impression is that it is the custom.

SIR JOHN A. MACDONALD: If a letter is not sufficiently stamped it should be sent on to the parties to whom it is addressed, and a fine imposed.

MR. TUPPER said he was satisfied the Postmaster-General was wrong as to the law, but he was right as to the practice as he (Mr. Tupper) knew from experience of a great many cases, and it was desirable that the practice should be corrected. He remembered a case in which a letter partially stamped was sent to the dead-letter office and opened, and that took place in a great many cases; but as his hon. friend had stated, it was illegal, the letter must be delivered, and be subject to a fine. He wished to draw the Postmaster-General's attention to a practice in connection with the Post-Office Department that he thought was very unfair. He had a letter addressed to him in Toronto, where he resided, with a stamp on it of one cent which the law required to be placed on it; but in the meantime he had gone to Halifax, and had left instructions at the post-office that his correspondence was to be forwarded to that place. What he held was that

the letter should be forwarded to Halifax, charging him with the additional two cents; but instead of that, the uniform practice, as far as he was acquainted with it, was to impose a fine of five cents on that letter. He did not know whether this was legal or illegal, but he held that it was unfair. If a letter was sent to him with a three-cent stamp on it, and if he went to Halifax, and from there to St. John, and from there to Toronto, having left his address at each place, that letter ought to come back to Toronto and no additional charge be made. He held that when a letter had a sufficient stamp upon it to pay its delivery at the place to which it was addressed, it should be forwarded to the address given. He held that it was manifestly unjust to make any further charge, and he doubted very much if it was not illegal.

SIR JOHN A. MACDONALD said that when this Act was being discussed, there was a provision that all letters without stamps, and all letters insufficiently stamped, should be returned to the dead-letter office. They had a long discussion here, and it was amended, it being pointed out by very many hon. members on both sides of the House that they could not expect people in the country to know exactly what was the postal rate or the weight, and that it was too bad that a man making a mistake in the stamping of a letter, having nothing to weigh it, should have his missive sent to the dead-letter office. The power still remained to forward letters not stamped at all to the dead-letter office, but those that were insufficiently stamped were sent on a penalty of twice the amount of the deficient stamp being imposed.

MR. MITCHELL said he was very glad that he had called attention to this matter, because it was one of very great importance, and to allow the present practice to continue would lead to serious inconvenience, not only to commercial men but to the whole of the community. He had no doubt what the practice was. He knew that the gentleman who attended to his business was very particular about putting the proper stamps on letters,

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and yet he had known instances where, after waiting for a reply to a letter for a couple of months, he had had the letter returned through the dead-letter office. He could only imagine from this that there must be some discrimination between one office and another.

SIR JOHN A. MACDONALD said that sometimes the stamps came off through their not being sufficient adhesive matter upon them, and then these letters had to be sent to the dead-letter office.

MR. MASSON said it was placing great power in the hands of the postmasters to allow them to open these letters. They might be ignorant men, or ill-disposed men, and might open communications with reference to political matters, or with reference to the lotteries for religious purposes.

MR. HUNTINGTON said the hon. gentleman surely did not think that there was any administration of post-office affairs, except by the Postmaster-General. A postmaster could not open letters until he had communicated with the Department and received instructions. As to the communications with reference to charitable institutions, the Act did not apply to them at all; although there ought not to be any charitable lotteries, if the hon. gentleman chose to construe the law that way. This provision, with regard to opening letters, only applied to glaring frauds. As to the construction to be put on the law with reference to the point raised by the hon. member for Kingston (Sir John A. Macdonald), he had not time to give it before six o'clock. He supposed the letter of the hon. member for Cumberland, which was sent to Toronto and afterwards to Halifax, was charged with two transmissions.

MR. TUPPER said that, instead of charging him three cents, they charged him five.

MR. HUNTINGTON said this was the first case of complaint of this kind that had come before him, and he would make enquiry into it.

MR. MITCHELL: I would like the hon. Minister to state what the practice, and what the law is.

MR. HUNTINGTON: I will read the law. The 19th clause of the Act is as follows:

"On all letters transmitted by post for any distance within Canada, except in cases herein otherwise specially provided for, there shall be charged and paid one uniform rate of three cents per half ounce weight, any fraction of a half ounce being chargeable as a half ounce; and such postage rate of three cents shall be prepaid by postage stamp or stamps at the time of posting the letter, otherwise such letter shall not be forwarded by post, except that letters addressed to any place in Canada, and on which one full rate of three cents has been so prepaid, shall be forwarded to their destination charged with double the amount with the postage thereon not so prepaid, which amount shall be collected on delivery."

I have no doubt the practice is quite in consonance with the law as I have read it; but, if a case arises in which the law has not been carried out, I shall be glad to consider it upon its merits, or the general regulations in the same way.

MR. CURRIER said that, at the time the Act was amended by Lieutenant-Governor Macdonald, then Postmaster-General, two cents more had to be paid on letters over half an ounce. He opposed this at the time, on the ground that the Department would gain nothing by this additional sum, because commercial men who had hitherto sent their accounts by post would not forward them that way, having the extra postage to pay; and it would also be a great inconvenience to the commercial men.

MR. MACKENZIE: You would make it a parcel delivery more than a post.

MR. CURRIER said he thought a one cent stamp should be sufficient for one letter.

MR. McCARTHY said that if one stamp instead of two was placed on a drop letter, it went to the dead-letter office; but in the case of another letter being insufficiently stamped, it was forwarded to the address and an extra charge made. He could not see why this distinction was made.

MR. BOWELL said he thought there should be a provision made to extend the clause, so that both letters,

in a city or town, having insufficient stamps should not be sent to the dead-letter office, but that a fine should be imposed on their delivery, of double the amount of the insufficiency.

MR. HUNTINGTON said there might be an isolated case, but his impression was that it was not the general practice.

MR. TUPPER said that, evidently, the practice was against the law, and, therefore, it might be better to amend the law to make the practice uniform with it.

MR. MITCHELL said he would like to see an alteration made so that all letters partially paid should be forwarded, the extra charge being paid on delivery, and that was how he understood the operation of the law when it was passed.

MR. DAVIES said that people doing business in a foreign country suffered great hardship in consequence of this practice. In the Province of Prince Edward Island a great many young men went to sea, and it was not to be supposed that in country districts they would know the exact number of stamps to put on a letter to a foreign country, and yet if they did not put on sufficient, their letters were returned through the dead-letter office. Of course, the merchants could guard against this; but even they had letters returned sometimes. He considered it was a harsh regulation, and ought to be abolished, and that a partly-paid letter should be sent forward, and the balance collected at the place to which it was directed.

MR. PALMER said it was not only the weight of the letter, but in the country districts of the Maritime Provinces, the postmasters themselves did not know the rate for foreign countries.

MR. HUNTINGTON; We shall settle all this by the Berne conference.

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

### After Recess.

MR. MAC KAY (Cape Breton) said it seemed to him that the Post-Office Department was for the special purpose of forwarding letters to the parties to whom they were addressed, and that, having that end in view, it would be found more desirable that unpaid letters should be presented to the parties on payment of a fine, than that they should be sent to the dead-letter office. He had had a great many instances brought to his notice, in which letters, through the stamps having fallen off, or through inadvertence or carelessness on the part of some of the officials or others entrusted with them, had been sent to the dead-letter office and weeks had passed before the parties who sent the letters were made aware that they had not reached their destination. The existing law might be of service to the postal authorities, might give them a little less to do, but the inconvenience which resulted to the general public, he thought, should be more considered than the ease or comfort of officials of the Department. He was perfectly satisfied that the inconvenience and annoyance and delay that arose were such that, eventually, if not this Session, at any rate at some future Session, that portion of the Act to which he referred would be repealed. This portion of the law was not of very great moment to those residing near the Capital, as they were easily communicated with from the dead-letter office; but to those who resided at a great distance, it was a matter of much moment that they should be made aware, as soon as possible, that their letters had not reached their destination. He suggested that this clause should be repealed, and that, in its place, a merely nominal fine, by way of additional postage be charged; but that, at any rate, the letter should be forwarded to its destination without being sent to the dead-letter office. As a matter of course, certain letters addressed to foreign countries, on which, inadvertently or otherwise the postage had not been paid, should be sent to the dead-letter office. But when addressed to places in the Dominion, it was certainly very desirable that they should be delivered to those to whom

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they were addressed on the payment of a slight additional postage, and not be sent to the dead-letter office, thereby causing so much inconvenience, and, in many instances, loss and annoyance, the writer not being made aware of the fact for weeks afterwards that his letter had not gone on as he expected.

Bill, as amended, *ordered* to be reported.

House *resumed*.

Bill *reported*.

### COLONIZATION RAILWAY BILL.—

[BILL No. 31.]

(*Mr. Mills.*)

SECOND READING.

Ordered for second reading *read*.

MR. MILLS said he supposed it would not be necessary to state the general provisions of the law and what it was intended to accomplish. In introducing the Bill, he had informed the House of its general features, and had stated in what way the Government proposed to assist in the construction of lines which had been incorporated by articles of association. Copies of the Bill were distributed several days ago, and hon. gentlemen had, no doubt, made themselves familiar with its contents. They were, no doubt, aware that the Bill presented a novel feature in this particular: It provided for the incorporation of railway companies upon certain conditions set forth, such as the subscription of a certain amount of stock, and the payment of a certain percentage on the stock so subscribed. This was a novel feature here in the incorporation of a railway company, but it was not a novel feature elsewhere. It had been the principle long recognized in the neighbouring Republic. Almost every hon. gentleman was aware that, after a railway was once incorporated, extending through a considerable portion of the territory, having acquired a considerable amount of local influence, it would always use that influence adversely to any corporation or any other railway company that was likely, in any way, to become a competitor for traffic or travel. Those who remembered the legislation which



took place in the Province of Ontario after the construction of the Grand Trunk Railway from Toronto westward to Sarnia, and yet more recently for the construction of the Canada Southern from the Detroit River to the Niagara frontier, would understand how very strenuously existing corporations were likely to oppose capitalists seeking incorporation for the purpose of railway construction, and how very difficult it was sometimes to succeed in securing those charters of incorporation which might or might not be advantageous to those who sought them; but which, certainly, were of the greatest possible advantage to the country. This Bill proposed to provide for the voluntary incorporation of railway companies. There was no possibility, once the principle was adopted for railway companies seeking incorporation, to come to this House and to seek to influence it in favour of this or that line. There was, perhaps, no safer principle that could be adopted than this one, that if parties who had money to invest, and who believed they could make a profitable investment by building a road upon any particular line, they should be as free as possible to fulfil their intentions. No railway company could invest capital properly, unless it was to the public advantage. The money was only invested for the purpose of enabling the company to secure a dividend upon their investment by accommodating the public, either by furnishing facilities for travel or for traffic. If, then, a number of capitalists believed that, by the construction of a railway between two objective points, they could profitably invest a considerable amount of capital, which, certainly, they would not do unless there was a numerous population from which the road was to be supported, he saw no reason why they should not have an opportunity of doing so. They were, in this respect, the architects of their own fortune. They determined for themselves whether their investment was wise or unwise, and all this Bill proposed to do, was to give them an opportunity of determining whether they would invest their capital or not. Until very recently, the country was a hunting ground; it was without a

civilized population; the questions with regard to the suitability of its soil for the purposes of agriculture, and the suitability of its climate, were unsettled questions. The emigration which had taken place during the past five or six years, had, in a great measure, settled those questions. All the Government proposed to do by this Bill was to give those who were seeking homes in the North-West an opportunity to find an outlet for the products of their industry. The Government did not propose to say to the population that they should settle in this or that particular vicinity, or they would be left without railway communication. The Government did not propose to say to the population: "You must go to this or that particular locality." They knew by the experience of the progressive settlement and development of the adjoining country, especially that section which lay west of the Mississippi River, during the past fifteen or twenty years, how largely railway accommodation contributed to the progress of colonization and settlement. Everyone who had looked at the census returns of the United States, during the present century, knew right well that, before a railway system was adopted, the settlement was largely confined to the vicinity of navigable rivers. The construction of railways had completely changed that characteristic of American settlements. There were, now, in the adjoining Republic, nearly 80,000 miles of railway in operation, which had contributed largely to the colonization and settlement of the country. He had looked into this question cursorily, and he would just call the attention of the House to the intimate connection which existed between the railway development of the United States during the past ten or twelve years, and the settlement of that country:

State of Minnesota—Area, 83,000 sq. miles. Population in 1850, 160,000; in 1870, 446,000. Miles of Railways in 1850, 157; in 1870, 1,092.

State of Iowa—Area, 55,000 sq. miles. Population in 1860, 644,000; in 1870, 1,200,000. Miles of Railway in 1860, 1,809; in 1870, 3,683.

State of Missouri—Area, 65,000 sq. miles. Population in 1869, 1,000,000; 1870, 1,721,000. Miles of Railway in 1860, 925; 1870, 2,000.

State of Arkansas—Area, 52,060 sq. miles. Population in 1860, 300,000; 1870, 500,000. Miles of Railway in 1860, 38; 1870, 300.

He might continue to cite a large number of States lying on the Mississippi River which would show a like result. But what he called the attention of the House particularly to was this fact: the intimate connection which existed between the progress of railway construction and the settlement of the country. The average increase of population and miles of railway per year, during these ten years, was as follows:—

	Average increase of Population per year.	Miles of Railway Construction per year.
Minnesota.....	27,000 .....	92
Iowa .....	51,900 .....	180
Missouri .....	65,000 .....	107
Arkansas .....	16,000 .....	20
Kansas .....	26,000 .....	146
Illinois .....	82,000 .....	166

Hon. gentlemen would see from these statistics that there was an intimate connection between the progress of railway construction and the progressive settlement of a country. Now, if it had been in the power of the Federal Government of the United States to have undertaken to determine where the emigration should go, instead of leaving it perfect liberty to flow in any direction in which it might be carried by the adventurous spirit of its population, by the energy and enterprise of the people, no such progress in the development and settlement of the country could have taken place. It would be found that the progress of any one State had in no way interfered with the progress of settlement of another. He had no doubt, whatever, that if our territories in the North-West were opened to the people, free to go in any direction they chose, settlements would rapidly grow in extent, which would form a nucleus for the development of all the Provinces. The only effect of undertaking to prevent people from settling where they chose, to confine them to particular localities, would be to exclude a large population from the territories, which would, no doubt, under different circumstances, settle there. Look at the population which had gone into those various States,

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averaging from 20,000 to 80,000 per year; according to which there was no reason why, during the next decade, the North-West Territories should not have an increased population of 50,000 per year. He did not think it an exaggeration to assume this, if no impediments were thrown in the way of settlement, if the people were permitted to seek homes where they pleased in this broad Dominion. If they were offered facilities for egress and ingress, and if the prices of their products were increased by affording them facilities for their transportation, he saw no reason why the rapid progress that had attended the settlement of the the Western States of the adjoining Republic, should not attend the development of the settlement of our North-West Territory. He knew it was said that it was important to avoid railway communication with the adjoining Republic. Under the existing circumstances, we must, for a brief period at least, have railways connected with those roads or not at all, and he did not think it would be possible, after the provision made by the late Government for the early construction of railways to the American frontier to make an objection of that kind. The whole experience of all countries was that the form of institutions was always stronger than individual opinions. Whether settlers came from Europe or from the Republic of the United States, it would be found that they very rapidly adapted themselves to our institutions and preferred them to any others, and instead of Americanizing our institutions, the tendency would be that they themselves would be moulded by the institutions we had established. If there were capitalists ready to come and invest their money in railway construction in our northern territories it would be very unwise to forbid them doing so; indeed, every opportunity should be afforded them. The policy of the Bill rested on the very obvious principle that the Government should give the people an opportunity of helping themselves; and, in a country which had free institutions, a spirit of self-reliance could not be better promoted than by offering inducements to settlers coming into the country, and

to capitalists to invest their money. Under the provisions of the Bill, the Government were giving no money, but were giving land. It was undoubtedly true that there was a provision which authorized the Government, if it thought proper, and with the approval of Parliament, to convert the land into money and to pay that over to the corporation. But it was money obtained from those who settled in the immediate vicinity of the railways; it was not money taken out of the pockets of the people at large, but it was paid by those people who took possession of the land which had no value except for purposes of settlement. An opportunity was thereby given to immigrants to make those lands valuable, and at the same time shoulder their share of the general burdens of taxation. If railways could be built by the aid of public grants of land or money obtained by the sale of that land, the country could not make a better use of the public lands than thus to open them up for settlement, and to give capitalists the opportunity of investing money there. It was largely by the construction of railways that the lands of the North-West were to be made valuable; their value depended upon the facilities afforded for the transport of the products of the settlers. By constructing railways through the North-West, reaching to every fertile point where a colony could be established, we would largely contribute to increase the traffic and travel over that railroad, which must, for many years to come, be a single line from Winnipeg eastward to the shores of Lake Superior. The larger the settlement in the North-West, the greater the traffic coming from that country and the vicinity of Winnipeg, and finding its way to Lake Superior, by so much the more would the cost of maintaining that section of the railway be diminished, and in the same proportion would inducements be held out to a company for the construction of the Pacific Railway, if they found the traffic of the entire North-West was to find its outlet by that single line. It was not necessary to detain the House with a discussion of the reasons which had induced the Gov-

ernment to propose this measure, but he would merely say it was one in the interests of colonization and development of the North-West territories.

Mr. RYAN said the principle on which this Bill was based was that, under the present circumstances of the Dominion, it was advisable to grant a portion of the public lands in Manitoba and the North-West Territories to aid the construction of such railroads as may be necessary to open up these lands. Since he had the honour of a seat in the House, he had always advocated this principle. The proposed Bill was not a mere experiment in legislation; similar Acts had been passed by other Legislatures and had been followed by favourable results. In 1850, Stephen A. Douglas, one of Illinois greatest sons had, after encountering strenuous and continued opposition, after failing in the Sessions of 1848 and 1849, succeeded in getting Congress to pass an Act granting 2,595,000 acres of land in the State of Illinois, to aid in the construction of the Illinois Central Railroad. At that time the population of the State was very small and was confined exclusively to the neighbourhood of navigable streams and waters. The whole centre of the State, through which the Illinois Central runs, and where the land grant was given to the road, was a howling wilderness, never trodden except by the hunter and the trapper. For 23 years prior to 1850, those magnificently fertile prairie lands had remained in the market unsold, although the Government price was only \$1.25 per acre. The Government of the United States did not give the grant to the road in a continuous block, but in alternate sections, as was proposed by the Bill under consideration. Having thus given to the Illinois Central one half of the land along the road, the Government at once doubled the price of the remaining half and held it for sale at \$2.50 per acre. No sooner was the construction of the road begun than an astonishing demand arose for these lands; the Government was compelled, in the public interest, to increase the price, and finally in 1857, the last of the Government lands had

pass into the hands of purchasers at the price of \$7 an acre. The lands held by the company also increased rapidly in value and were sold at 30, 40 and 50 dollars per acre. The results exceeded the most sanguine expectations of Stephen A. Douglas and the other advocates of the land grant. An ever-surging sea of population flowed into the State; well tilled farms, flourishing settlements, thriving villages, busy towns and stately cities sprung up as if by magic all along the road. A writer who has given considerable attention to the question, estimates the increased value of each acre within ten miles of the road at \$7.50, on the average; or, in other words, the Illinois Central Railroad increased the value of the lands within ten miles of its track at the rate of \$96,000 for every mile of its length. The example so happily inaugurated in Illinois had been successively followed throughout the whole of the Western and North-Western States. The progress of settlement and increase of population in these States had surpassed everthing in the history of the world. If the fertile plains of Manitoba and the North-West Territories were ever to be settled—and who could doubt their settlement,—it could only be effected through the instrumentality of railroads. The experience of the Western States had proved the locomotive to be the true pioneer of settlement in a prairie country. Nature seems to have adapted the prairie for the railroad; it was the natural road of the prairie, and could be there constructed for almost as small an amount as it took in some countries to construct a waggon road. In such countries settlement would not progress much beyond the sound of the whistle of the locomotive, because beyond that distance profitable farming could not well be carried on. At Portage La Prairie, where he resided, the distance from Winnipeg was 61 miles. The price of wheat at Winnipeg was 60c. per bushel. Freight from Portage La Prairie to Winnipeg was 50c. per 100 lbs., or 30c. on a bushel of wheat. After paying freight to Winnipeg there remained 30c. per bushel for the farmer. In a new country everything a farmer had to buy was dear, labour was dear, and the result

was that farming would not pay under such circumstances. West Marquette could, with proper facilities for exporting grain, easily have raised half a million of bushels of wheat as the surplus for 1878; but as matters stood it was doubtful whether the surplus for 1878 would be greater than that of 1877, about a quarter of a million of bushels of grain. Our farmers have to compete in the grain markets of the world with the farmers of the Western and North-Western States. These States were competing with us for immigrants. Our farmer could not compete with the American farmer, unless his facilities for exportation nearly equalled those afforded to the American. We could neither expect to secure a share of the immigration from the east, nor could we even expect to keep the immigrants already settled in Manitoba, unless we could give them the necessary amount of railroad accommodation. Unless we were prepared to do so much, we might as well throw up the sponge at once, and allow Manitoba and the North-West to remain without settlers—a sealed book in the future, as in the past, until such time as we were prepared to adopt a different policy. He believed that some of the members were opposed to giving a grant of land to railroads. The scheme had some disadvantages. If we were in a position to give a grant of money instead of land, he would prefer it, because then the increased value of the land would benefit the country and not the corporation, and the danger of the lands being held longer than the true interests of the country demanded would be avoided. But we were not in a position to give assistance to the needed roads in money, and, as our lands were of no value without roads, and, as these roads would not be built without assistance of some kind, it followed that we would have to give lands. Two charters for local roads had been obtained from the Legislature of the Province of Manitoba. One was for the Manitoba Southern, a road proposed to run from Winnipeg to Rock Lake, in the south-western portion of Manitoba. This road would open up the Boyne and Pembina mountain country, one of the most beautiful

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and fertile portions of the North-West, into which an energetic and intelligent population was fast pouring. The other was for the Manitoba Western, a road proposed to run from Winnipeg, in the centre of the Province, to near Palestine in the north-western part of Manitoba. This line would open the fine country south of Lake Manitoba, where the Canada Pacific ought to have been located, and where the settlements were even now sufficiently numerous to afford a considerable amount of local traffic. A rumour had obtained currency—he knew not how, for it was a silly rumour—that he had opposed a land grant to the Manitoba Southern, and was indifferent about a similar grant to the Manitoba Western. He would take the occasion to state—and he challenged contradiction—that the rumour was untrue; he had always advocated the making of land grants to those roads. He had, on more than one occasion, urged the matter on the Government, and in the House. Even now, if he were permitted to choose between the benefits likely to flow from the Bill under consideration, on the one hand, and a direct land grant of 6,400 acres per mile, in favour of these two roads, he would choose the latter alternative, because he knew the direction of these two roads, and knew that they would open up precisely those portions of Manitoba which at present required to be opened, and that they would both be feeders of our own Canada Pacific, when built; but he did not know either the direction of such lines as might be built under the provisions of the Bill introduced by the Minister of the Interior, nor did he know what their effect might be upon the traffic of the Canada Pacific road. But, as he was not in a position to choose, he could only accept for his Province what it was in his power to get for it. Under the provisions of the Bill the Government would have, practically, the control of the construction of railroads in Manitoba and the North-West for some years to come; because it was evident that, while any portion of the country remained through which a road could be built so as to obtain a land grant under the Act, no other road

would be built. He hoped the Government would make a wise use of this power. In no country did the different lines run upon the best natural and commercial lines; at some points competition was too keen; at others, not sufficiently strong. An engineer could, in any country, so dispose the same number of miles of rail that existed in the country as to be of more benefit to the public and more profit to the owners than was afforded by their present arrangement. He hoped the Government would keep the matter in mind, and see that those lines were chosen which would be most beneficial to the country and most profitable to the builders. There was one other point in connection with the subject to which he desired to call the attention of the Government: the question of controlling or regulating the freights on roads to be constructed under the Act. This subject had occupied much public attention recently, both in the United States and in Europe. A joint Committee of both Houses in England had also lately considered it; and, although no practical solution of the difficulties which surround the question had been aimed at, although the varying circumstances of the time and the natural features of the country through which freight was carried, render it impossible to hit upon a fixed or uniform freight tariff which would be at the same time fair to the public and to the railroad, yet he thought it only fair, when the State aided very materially in constructing a road, that some measure of power should be retained to protect the citizens from extortionate or unreasonable charges for freight and traffic. He believed that the hon. the Minister of the Interior was actuated by the best motives and a sincere desire to improve the position of the settler in Manitoba, in framing and introducing the Bill. But he (Mr. Ryan) regretted that, if the Bill passed in its present form, it would not, in his opinion, at all, or in any event materially benefit the farmers of his Province. The first lines needed, the ones at present actually needed, were a couple of short lines taking the same, or nearly the same, general directions as the Manitoba Western and Southern. Whether the Manitoba Western

ran from Winnipeg or from Selkirk to the West was not of very great import. But under the provisions of the proposed Act, neither of these roads would obtain much advantage. Those portions of the Province through which these lines would run were, in a great measure, no longer owned by the Dominion. They had been mostly sold by the Dominion for cash or its equivalent, or they had been paid away by the Dominion upon various accounts and for the purposes of the Dominion; 1,400,000 acres had been given to the children of the half-breeds—thousands of acres, yes, hundreds of thousands had been located by half-breed scrip and military bounty warrants. These were strictly payments upon the national account made to extinguish the Indian title to lands not in the Province of Manitoba alone but also to lands throughout the whole North-West, and to provide for the safety against Fenian invasion and internal troubles as well in the Territories as in the Province. Wherever the alternate sections, which under the provisions of the Bill would fall to either of the local roads mentioned, had passed out of the ownership of the Dominion, the land would be absolutely lost to the road, because the Act did not, like the Act from which it was copied, reserve to the Government the right to give other lands in lieu of those so lost to the Company. It followed, that as these roads would, for a great portion of their length, run through half-breed reserves, and land located under scrip and bounty warrants, and sold for cash, they would, for those portions of their lines, derive no benefit whatever from the proposed legislation. This was unfair, and had the appearance of a blow directly aimed at the settlers of the Province, the men who, more than any others, were entitled to consideration and fostering care. If the lands had been given away to actual settlers under the provisions of the Homestead Act, then the case would be different, because the Province would have been benefited by being settled. But the lands had been given away in payment of claims against the Dominion, and it would be only fair that the Bill should reserve the right to the Government to

give other lands to aid the construction of the road, when those which under the Act would fall to the lot of the road, had been so given away. Lands could be given at a greater distance, say within 20 miles of the road in the Province, or a greater proportion might be given outside the Province. Unless the Bill was amended in this respect, it would not be of any or at least of much use to the Province. The time allowed for the commencement and completion of roads under the Act was too long. When the Bill reached Committee, he would take occasion to introduce amendments to the objectionable portions, and he hoped the Government would not oppose the amendments.

MR. BERTRAM said that, in introducing this Bill, the hon. the Minister of the Interior had discussed, at considerable length, the desirability of building railroads in a new country. He thought there could hardly be two opinions about the necessity of building these railways. The hon. gentleman had gone into some statistics in connection with roads built in the United States to show the necessity of this country aiding in building railways in our territory. He considered that the best policy which we could pursue would be to build a railway as fast as we possibly could from Duluth to Winnipeg, and then to assist in building as many as possible in that new country. It was not for the purpose of coinciding with the opinion of the hon. gentleman that he now rose, but to point out to the House what he considered was rather an element of danger in this Bill. It provided for the grant of lands of the Dominion to any railway company that might build a line in that territory. If they impartially considered the evidence which they now had respecting the public lands that had been granted in the United States to railroads built in that country, they must come to the conclusion that a great many abuses had arisen in this relation. The case of the Illinois Central Railway had been instanced by the hon. member for Marquette as one in which the policy of the United States, in building railways, had had a very beneficial

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effect indeed. If he remembered aright he thought that in 1872, during the election campaign of that year, this very case was mentioned by the hon. member for Kingston, who then made the statement that this railroad had received enough of the public lands of the United States to pay for the building of the road and that they had, at the same time, then within possession, as much land as would, if sold, build the line over again. It was against the possibility of a case of this kind happening in Canada that he thought it would be advisable, for them to retain control of these public lands. He believed, with the hon. the Minister of the Interior, that the public lands of the Dominion should be utilized in opening up our new territory; but, instead of granting these lands in fee simple to railway companies, the Government should retain control of the land and put a price upon it at which they should be sold to actual settlers. There was no doubt that, in the Western States, these grants of lands to railway companies had been the subject of great abuse; and that these companies, after a certain time, instead of aiding in developing the lands, had held them for a speculative purpose, and retained them in their possession; and that the settlers of the country in that territory had been obliged to pay an enormous price for them. He noticed in sub-sec. 2 of sec. 26 of the Bill, that the Government retained the power, if they considered it desirable, to keep these lands in their possession and give a money grant in their stead. In lieu of this provision being permissive, it, in his opinion, would be very desirable for the House to make it obligatory. Although the Government might set apart 10, 12 or 20 sections for the purpose—he did not care about the number—if the principle of which he spoke was kept in view, these sections should not be given to a railway company but should be controlled by the Government, an upset price put on them, and only sold to actual settlers. He desired, at this early stage of the Bill, to explain his views. This was the only point respecting which he disagreed with the provisions of the Bill, and he hoped that, before it passed

through Committee, this matter would obtain the consideration of the Government.

Mr. MITCHELL said he had listened with a great deal of attention to the remarks of the hon. the Minister of Interior in moving this Bill; to the hon. gentleman who more particularly represented the section of the country who would benefit by it; and to the hon. member for Peterboro' (Mr. Bertram), who was from the older settled portion of Ontario. He came from the section of the country that had helped to pay for the North-West Territories. The sum had been £300,000 stg, and they had also helped to pay for the opening up of, and the construction of, railways through it. He was amazed at the Government of the day submitting a measure of this kind for the consideration of this Parliament. When they remembered that there were, outside of the Province of Manitoba, nearly four millions of people, inhabitants of the Dominion, who had bought and paid for that country, who were to-day being taxed for the opening up of it and the building of a railway through it, and the making of communications professedly from one side of the country to the other, taxes which were paid and contributed by the older settled portions of the country, and when they looked at the nature of this Bill, and found that it practically took away the very lands which this Parliament and the preceding Parliament had held were pledged to build this Pacific Railroad, he was amazed at the boldness and recklessness of hon. gentlemen opposite, who here attempted an act of spoliation at the expense of the eastern portion of the Dominion, but for what purpose he would not just now say. This country was pledged to the construction of the Canadian Pacific Railway. When it was proposed by the late Government, it was supposed that it would cost, according to the scheme submitted, 30 millions in cash, while they made reserves of land through that territory for settlement to the extent of 13,000 or 14,000 acres per mile, making in all about 60 millions of acres to be provided out of the fertile belt of the North-west Territories for

the construction of this road. The late Government adopted that plan to utilise the resources of the country. They were willing to pay, as they did, £300,000 sterling for the purchase of this country in the first instance, and they were willing, in the eastern portion of the Dominion, to pay 30 millions of dollars, in all time to aid the construction of this road, and they were willing to look, as they had a right to look, and as their Government asked them to look, and as Parliament sanctioned this attitude—to the land of the country for the construction of the balance of the road. He would look to know what the policy of the Government to-day was with reference to the Canadian Pacific Railway. He recollected well when the Government, of which he was a member, proposed to Parliament to adopt this scheme, the indications and statements thrown out from the Opposition, who forecast ruin to fall upon Canada in attempting such a monstrous outlay of public money to such an enormous extent on public undertakings in the way of railways. They predicted that ruin would come upon this country. The trade of the country would be destroyed, and the taxation on the people would be increased. Those gentlemen on the opposite benches of the House, who opposed this expenditure of \$30,000,000, and the addition of 50,000,000 acres of land, and who were proposing to build that road, now, at a cost to the country of \$200,000,000, were actually giving away the very lands, which were their security, under which that money could be paid. He did not know what the opinions of gentlemen from Ontario or Quebec might be, nor did he care. He had one thing to do and that was his duty. His duty in this case he conceived to be, to call the attention of Parliament to the proposed spoliation of western land. It would be unjust to the other Provinces to pass an Act like this, which would enable railway speculators and companies to absorb three-fourths of the whole western territory—that territory on which they hoped to construct the great Canadian Pacific Road. He yielded to no one in the desire to benefit the North-West, but he certainly could not approve of an

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Act such as that now before the House. He could not believe in a scheme which would enable speculators to absorb millions of acres of land, with which it was hoped the country might be recouped for the money it was now spending in opening up that great territory. They had a right to expect something better from the Government than that. If the Administration really desired to open up the country, by all means let them do so; but, why should they, by legislation of this kind, embarrass the resources of the country in a way which could never be retrieved. They were pledged to the construction of that Pacific road which, when the Opposition were in power, they set themselves against. Whenever they got control of the resources of the country, these gentlemen, who were so ready to condemn the enterprise, the genius, and intelligence of the men who preceded them, for seeking—as they declared—uselessly to expend money, now spoke with the other sides of their mouths, and tried to cripple the great resources of the North-West, which would have poured wealth into the coffers of Canada. Let him state the practical objections to the Bill. He believed that, under this Bill, any number of speculators might, by complying with certain requirements, construct from one to twenty railways, thus absorbing hundreds of thousands of acres of land. When the Grand Trunk Railway Company came, the other day, asking the privilege to connect with several other railways, and when the Canada Southern Railway came asking privileges,—what did his hon. friend from Chateauguay say? No man guarded the liberties, rights and privileges, more than he, where enormous powers were asked, and when these two railways came before the House, none were more careful of their privileges, or more zealous than his hon. friend. He (Mr. Mitchell) was very much pleased to see the great amount of caution the hon. member exhibited in endeavouring to prevent the railway companies getting the powers for general purposes which they sought. He recollected the words which the hon. gentleman made use of. He said: "Let us give them what is



absolutely necessary for the purpose. Whenever they want anything further in the way of legislation, let them come and ask it, and if it is right, we will give it them." What was the policy of his hon. friend to-day? He was amazed to find that he was not the first man to take exception to the Bill. What should have been his line of policy as the controller, almost, of the Administration in matters of this kind? He should have said to them: "You are going to make thousands of miles of railway, under that Bill, if there is land enough; you are going to let the whole of that territory be absorbed by private speculators." As his hon. friend from Marquette had said, two lines of railway were certainly needed. Well, if application were made to that House for the necessary thousands of acres for the construction of these roads, he would be ready to give all possible aid; but a Bill like this, which gave power to private speculators to absorb the whole territory, was one of the most outrageous measures he had ever heard come before Parliament. He was astonished that the hon. Minister of the Interior should have dared to propound a scheme of this character, so extreme in its powers. A greater injustice to the other parts of the Dominion than the measure proposed, no man could conceive. He was not going to take up the time of the House very long in discussing this matter, but he wished to call the attention of hon. members representing the Eastern Provinces of Canada to the increased taxation which would be placed upon their districts by the proposed measure. While he approved of money being expended for the opening up and improvement of Manitoba, he was not prepared to give up that magnificent country to private individuals, for party purposes and for party plunder. He would tell hon. gentlemen on the other side of the House that, while he was prepared to entertain any fair and just claim which might be made, he would not submit to any such scheme of spoliation in the North-West as that which was intended. Throughout the whole Dominion, every scheme should be dealt with on its own merits, and, if it was found that the one or two railways

referred to by the hon. member for Marquette were really required, he would be willing that the House should grant a charter for the undertakings, besides giving subsidies in money or land to secure them. He would ask hon. gentlemen opposite to consider the proposition he had just made, and then say whether they would take upon themselves the responsibility of this measure when they went back to their constituents next summer. The Minister of the Interior had said had hon. members on the Opposition side looked unfavourably upon any railway connection with the American Republic; but hon. gentlemen opposite had always been anxious, not only to have railway connections with the United States, but to maintain business, social and national relations with those on the other side of the line. His hon. friend had done the members of the Opposition an injustice when he made that statement. If the hon. gentleman would withdraw his Bill, and introduce a special measure giving powers to the two roads spoken of by the hon. member for Marquette, he would have his (Mr. Mitchell's) support. He would also agree to grant lands outside those lines, but he should certainly endeavour to record his vote against the Bill introduced by the Minister of the Interior. He (Mr. Mitchell) did not want to say one disrespectful word regarding the people of the North-West. He knew some of the difficulties and hardships they had endured in the settlement of that country; but they must not forget that only a few years had elapsed since they owned any part of that territory at all, having previously been under the administration of the Hudson Bay Company. They must not forget that the immense territory outside Manitoba was the heritage of the people of the Dominion of Canada at large. If, on the other hand, they looked upon it as the property of Manitoba alone, then do not let them ask Parliament to impose laws on the other Provinces in order that money might be squandered in the construction of the so-called North-West route; if they claimed the whole territory to make their railroads, let them raise the money themselves and make the necessary improvements

and not ask the other portions of the Dominion, first to buy the country, then to spend millions in improvements, and then find their lands given away. He wished to call attention to one or two sections of this Bill, which seemed to him as rather of an extraordinary character. He would read the 26th Section of the Act for the information of the House:

“The Governor in Council may, for the purpose of aiding in the construction of any railway to be constructed under the provisions of this Act, reserve every alternate section of ungranted land by odd numbers, to the extent of ten sections per mile, five sections per mile on each side of the line of the railway, exclusive of the sections which, under the Dominion Lands Act, may have been reserved as school sections or may have been allotted to the Hudson’s Bay Company; and for any line or part of a line of railway west of the 102nd meridian of west longitude twelve sections per mile, and for any line of railway connected with the Canadian Pacific Railway and extending into the Peace River district, twenty sections per mile; and whenever twenty-five consecutive miles of any portion of any railway shall have been completed, equipped and in operation, the Governor in Council may convey to the company the land so reserved, or a part thereof, along the said railway so far as the same is completed, and for each consecutive ten miles of the remainder of the railway, the Governor in Council may, as the same may be completed, convey the lands so reserved along nine miles thereof to the company.”

Sub-section 2, said:

“Or, should the Governor in Council deem it expedient, instead of conveying lands to the company, the company may be paid the moneys received from the sales of lands on the line of, and within six miles of such railway, from time to time, until the company shall have received a sum not exceeding ten thousand dollars per mile, after which the company’s claims to any further aid from the sale of such lands shall cease; Provided always, that not more than ninety per cent. of the value of the actual work done shall be paid out of the proceeds of any land sales until the road is finished and equipped and in operation to the satisfaction of the Governor in Council; Provided also, that no agreement made by the Government with any company, or any Order in Council promising aid under this sub-section or the preceding sub-section, shall be valid or binding until it shall have lain before the House of Commons for one month without being disapproved, unless sooner approved by a resolution of the House.”

That really provided for the giving away of the very lands required for the

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construction of the Pacific road, and that not more than nine tenths—such was the enormous extent of the provision—should be paid out of the proceeds of land sales till the road was in operation. Now, what did that mean? It meant that those lands were considered of sufficient value to pay for the construction of these roads. The hon. member for Marquette (Mr. Ryan), speaking of the progress made by railroads in Illinois, said that the road was finished and paid for, while one-half of the lands were left to the credit of the road. Parliament ought, therefore, not to give away that valuable land in Manitoba in so reckless a manner.

MR. RYAN: I may have stated what the hon. gentleman understood me to have stated, but I did not intend to say that. What I meant to convey was, that the Government, after giving one-half of the lands along the routes to the company constructing the line, will have the price for the other half so greatly enhanced that they will get much more for the one-half than they otherwise would for the whole.

MR. MITCHELL said he accepted the explanation. The position the hon. gentleman had taken up was that of the late Administration, when they advocated a policy for the obstruction of that railway. The late Government proposed that the whole responsibility of the country, in addition to the land granted, should amount to \$30,000,000. The present gentlemen, on the other side, stated that the responsibility would be \$200,000,000. They endeavoured to get a company to take it up, and if it had not been for the gentlemen on the other side, and some other influences that were at work, they would have got that company organized, and taken the land offered to them, and to-day the country would have had that railway, the territory would have prospered much more in settlement, and the country would be receiving a larger revenue. But, if this Bill came into operation, if the hon. gentleman was able to induce this House to pass it, and he (Mr. Mitchell) was afraid that he would, he had seen such a subservient following, all this would be changed. There was

in that Bill the germs of the absorption of the whole North-West country, and they would not have a twentieth part left wherewith to build their Pacific railway. The result would be that the land having been absorbed, the railway would not be built. What would the Eastern Provinces say to such a measure? Would his hon. friends on the other side say they could justify such a course to their constituents; that their constituents would appreciate a measure like this, committing an act of spoliation over the entire country? Who had contributed to the purchase of that country; who had paid the Hudson Bay Company for it? The people. But they paid the money to have the country opened up and developed, and not to be given away in this wholesale manner. If the lands of the North-West were to be used in building railroads, and he approved of such a policy, then this section of Canada was entitled to a fair share thereof for their local railroads, such, for example, as the Miramichi Valley road. The people of old Canada bought the North-West and were taxed to pay to improve it, and they had a right to appropriate a share of the lands to promote the construction of roads in the East as well as in the West.

MR. CHARLTON said he considered this measure, notwithstanding the unmeasured denunciations it had received at the hands of the hon. member for Northumberland, was a statesmanlike measure and embodied a wise policy. It was essential to the development of the North-West that that country should be furnished with railways. The rivers flowing through that region all flowed to the northward, and thus this region had no natural highways to market as was furnished to the Western States by the Mississippi and the Great Lakes; and if railways were essential to the development of the Western States, they were ten-fold more essential to the development of the North-West. It was useless to think of opening up and settling this country without furnishing it with railway facilities. Now, it had been said that the American railways were subsidized to a greater extent than

necessary; perhaps that had, in some instances been the case. Reference had been made to the Illinois Central Railway. At the time that road was projected, nearly the whole interior portion of the State was a wilderness; farmers living fifty miles from Chicago were in the habit of teaming wheat to the market often, when the roads were bad, at a cost of one-half the value of the wheat. The country had a few struggling settlements in the interior, but there was no extent of population. The country would never have been opened and settled as it has been, but for the construction of a system of railways of which the Central was the chief. That railway had populated the vast prairie region in the centre of the State, and had contributed in an important degree to make Illinois the third State in the American Union, with a population of over three millions. He recollected paying a visit to Iowa about twenty years ago. Then, it had but a few miles of railway, and but a sparse population, chiefly located along the line of the Mississippi; yet by means of a liberal railway policy, by subsidizing several lines crossing the State from east to west, it had suddenly risen into an important State, with a population of nearly, if not quite, 1,500,000. Some of the railways, had perhaps been subsidized more than was necessary, perhaps more land had been given than was advisable; but capitalists would not embark their money unless they had a prospect of a fair return, and it was folly to haggle with them about an unimportant difference when important interests were at stake. The United States Government held the alternate sections, which were reserved within the limits of railway land grants at double the price of lands outside the limits of railway grants, and more distant for railway communication. These lands were denominated double minimum lands and sold as readily at \$2.50 per acre as other land did at \$1.25; and the result of railway land grants, so far as land sales were concerned, was that Government had actually received as much for its lands as it would have been likely to have done if the whole area had been sold at the ordinary

Government prices. Now, in the North-West, there were untold millions of acres of land. They were told by the hon. member for Northumberland that this was the heritage of Canada, that it had been bought by the people's money; but, in its present shape, of what value was this great wild, lone land to us? The question was how that land should be utilized, and for that purpose the Minister of the Interior had devised a Bill which, in its conception was admirable, and which, in his opinion, would, if carried out attain the object of populating this vast country. The Bill provided that these roads were to receive ten sections to the mile east of a certain point; twelve sections to the mile west of that point; and twenty sections to the mile in the Peace River region. The maximum rate but very slightly exceeded the minimum of the United States railway grants, and they must bear in mind that, if railways were essential to the opening up of Illinois, Iowa, and Wisconsin, they were far more essential to the opening up of the territory on the upper waters of the Saskatchewan or in the Peace River region; and Government could never properly utilize that country or get any adequate return for the money it had expended without adopting a policy of this kind. They had committed themselves to the building of a trunk line through that country; were they going to do that and make no provision for feeders to bring traffic to that line?

SIR JOHN A. MACDONALD: We have a parallel line on each side of it.

MR. CHARLTON said this Bill proposed to open up railways in the North-West, and the Government cared not whether they ran east or west or north or south; they would run in any direction the wants of the country required. If it was necessary to construct lines through the Peace River valley, the Mackenzie valley, the valley of the Saskatchewan, or any other valley, these lines would be built there, if the aid offered by the Government proved a sufficient inducement to capitalists to embark in these various enterprises. They were told by the hon. member for Northumber-

MR. CHARLTON.

land that this was an iniquitous Bill; that the Government were bartering away the heritage and rights of the people of this country. Why, under this Bill, the Government were providing for the growth of Canada as a nation; they were providing for peopling that vast region which now lay in a state of nature, and for developing its resources. They had already lost too much time in developing the resources of Canada. Under the administration of the hon. gentlemen opposite, this country had remained like a ship at anchor, without making progress. While the population of the United States had increased nearly twenty-five per cent. in the last decade, this country had increased only about twelve per cent. during the same period. The energies of this country were arrested until the hon. gentlemen went out of office, and it now devolved upon the present Government to people and develop the country with the utmost celerity. If they were to increase the prosperity of this Dominion, they must increase the number of its inhabitants. In the North-West, they had lands which would give sufficient sustenance for fifteen or twenty millions of people; let them get inhabitants for it as soon as possible. If they could pour 50,000 a year into it, those settlers would pay into the coffers of this country, in the shape of Customs duties, \$250,000 per annum, and the Government would derive a far greater revenue this way than from the sale of these lands. The United States Government had never accounted their public domain a great source of wealth from proceeds of sales; they deemed it of more importance to get settlers on their lands than to gain a paltry sum for the sale of them. He held that the only policy to open up and develop these large tracts of country was a liberal railway policy; and that, while it was proper to exercise due caution, it would not be good policy to postpone the building of lines for the sake of saving a few hundred acres to the mile. They could not induce capitalists to embark in a speculation of that kind unless they offered liberal terms. He believed, with the hon. member for Peterborough (Mr. Bertram), that it might

be well for the Government to retain in their hands the sale of these lands. This Bill gave the Government that power, and he thought it right that this matter should be left in their hands. There might be circumstances where it would be impossible to make an inflexible rule with regard to these sales, and, therefore, it would be better that the Government should have the discretion which the Bill gave. They were told these railway claims were going to absorb the whole of the North-West. Under no circumstances could they absorb more than half of it, even were parallel lines to run so close to each other that these grants joined, for, in that case, even the Government would still have each alternate section. Should the immense North-West become amply provided with local railways under the provisions of this Bill, so as to have abundant railway facilities for the country when it was all settled and opened up, even then the land grants, as provided by this Bill, would not absorb one-quarter of the territory, and they would leave the balance of that domain worth infinitely more than in its present position. Now, under present circumstances, it was questionable whether that portion of the Canada Pacific Railway, running from the Red River to Lake Superior, would have sufficient traffic to pay expenses.

SIR JOHN A. MACDONALD:  
Hear, hear.

MR. CHARLTON said the hon. gentleman cried "hear, hear," as if this was not his policy. He (Mr. Charlton) contended that, if they built that main line, to the construction of which the country was pledged by the right hon. gentleman, they must adopt a liberal policy for the purpose of developing the country; they must secure the construction of branch lines and feeders, and then they would have a sufficient amount of business brought to the main line to make it pay a dividend. If they were going to construct a main line from the Red River to Lake Superior, it was essential to provide it with business and traffic, which could only be done by the construction of lateral lines. He hoped hon. gentlemen would not look at this

matter in any party light; he trusted they would not oppose the policy in order to gain a temporary advantage over the Government; but that they would view it from the broad standpoint of our national interest; that they would look, with statesmanlike forethought, to what were the real interests of Canada, and accord to this measure the generous support which it most certainly deserved.

MR. MASSON said he took it that the greatest penalty which could be inflicted upon an Opposition was to place them on the Treasury benches for a time. When the hon. member for Kingston (Sir John A. Macdonald) was in power, it was with the greatest difficulty that he passed his Pacific Railway Bill, owing to the obstacles placed in the way by hon. gentlemen opposite. The annexation of the North-West Territory, which had taken place, would have been entirely useless unless they had such a railway. He stated at the time that the annexation of the territory of the North-West was useless unless it were peopled, and the only way to people it was to build railways; and they must build railways in advance, for they could not expect the population to go in advance of the railways. These ideas were scorned and laughed at by the gentlemen opposite, but now they were in power, they were compelled to repudiate what they said then; they were obliged to follow the hon. the First Minister and vote as he commanded them. It was said that the lands of the North-West were not sufficient to build the Pacific Railway now that the country was threatened with railways all over that territory. He asked, how did the gentlemen opposite meet the measure proposed by the late Government, and whether they considered their present action consistent by the light of the course they then took? He asked hon. gentlemen if again they would obey the Prime Minister, and submit to the lash upon their shoulders, as they had so frequently done during the past four years? At the time the Pacific Railway Bill was introduced, hon. members said these lands were worthless, but now they were in power, they said they had

enough land to pay 90 per cent. of the whole railroad. He submitted to them whether the grand policy of the hon. member for Kingston was not the proper policy. His policy was to build the Pacific Railway with the lands and a very small subsidy of money. That was a proper policy, a grand policy, a policy adapted to a country like ours. The Government were not prepared to build the road with money, but their extensive territory would enable them to build it with the unoccupied lands. That was not the policy of the hon. gentlemen opposite. He remembered the hon. the Minister of Public Works saying that that policy was a bad one which gave away our lands that we should keep, and build the railway with money, giving the lands as free grants to settlers. What was this Government doing to-day? By the last section of this Bill they provided for the sale of those lands, in order to throw them into the hands of speculators. His hon. friend the right hon. member for Kingston, when in power, had a great difficulty. There was no money to build the road, but there was plenty of lands. He found a company ready to build it, on obtaining a grant of lands and an amount of money which the Government proposed to raise by the sale of its lands, at an upset price of \$2.50 per acre. His hon. friend opposite rose against that policy, said it was a policy which would stop immigration, that no immigrant would pay that sum for the lands. Yet, to-day, this Government offered to do what his right hon. friend had then proposed to do, and which they had then so strongly opposed. The hon. the Minister of the Interior had stated that hon. members on this side of the House might have some objection to the law, that they might object to the railway connection with the United States. That was a strange accusation to be cast on the party led by his right hon. friend. The hon. gentleman should, himself, remember that the Pacific Railway Bill introduced by the right hon. member for Kingston, had in it a provision to build the Pembina Branch to connect with the United States, which the Government were building at the present moment. But what the Conser-

vative party complained of was, the great subserviency displayed by the Government to American interests. They objected to the mongrel system of public works and water stretches, which would drive immigration and trade from our country to the United States, and it was not proper that the trade of this country should go by the United States. This was the only objection made to the ideas of the hon. gentleman. The hon. member for Marquette wished to have lands elsewhere distributed to the railway if none could be found on the route. He (Mr. Masson) was very much afraid of that policy. He remembered the time when the hon. gentleman had said there were not, in the North-West Territory, more than 50,000 to 60,000 acres fit to be given to the Railway Company. Was it not rather cruel on the part of the hon. member to advise the Government to take lands outside the roads they were to build, outside the land which, really, belonged to the Pacific Railway, in order to build those branch lines? The hon. member, thereby, placed the Government under the obligation to say they had been really mistaken. They had made too gloomy a picture of the country they had acquired, and were obliged, to-day, to abandon their previous policy. This country must have the Pacific Railway, and would have it, despite the ill-will of the hon. gentlemen opposite. It could only be had by building the railway with our lands, and in no other way. The Government would never be justified in taking any lands which were necessary to build the Pacific Railway, and to give them to another line of railway. The Bill gave too much power to the Government; it gave them the power to deal with all the lands in the North-West Territories as they chose, to give them to any company they pleased. Why not do as was ordinarily done—allow the incorporation of companies in that country, and let them come to Parliament to obtain grants of money, and not give them an indemnity before obtaining the consent of Parliament. He had no objection to the plan of the hon. member for Marquette. He thought the Government should enquire closely into that subject and

MR. MASSON.

see whether it would not be proper to subsidise a company to build a railway south of Lake Manitoba, and no hon. member on his side of the House would vote against giving a fair subsidy in money and land to such company, and thereby aid in the settlement of Manitoba. But there was a great distinction in allowing the Government to grant a subsidy to a line which had received the approval of Parliament, and the power of granting lands to any company they chose. But, it was possible, after all, that this land subsidy was only a pretence, that, on the whole, the Government would, eventually, be induced, under pressure—perhaps political pressure—to change the nature of the grant, and transform that land grant into a money grant, and, consequently, the roads advocated by some of their friends would really be built by money out of the Dominion. This would be the result of the whole policy. Not having enough money to build our own Pacific Railway, this House could not consent to the Government selling lands in order to build any railway which would delay the building of the Pacific road. The hon. member for North Norfolk seemed to forget the 18th clause which read :—

“No company shall be incorporated under the provisions of this Act for the construction of any Railway having the same general direction as the Canada Pacific Railway or any branch thereof, at a nearer mean distance than forty miles.”

If the Government wished to make the House believe that they did not intend going on with the Pacific Railway, they could not have taken a better means of doing so than by inserting this clause. The idea of granting a company power to run a railroad parallel to our line for three or four hundred miles, within forty miles mean distance of it, was really preposterous. It appeared as if the Government wanted those companies to complete the Pacific Railway instead of building it themselves. There would be no use building the Pacific Railway if a company would be allowed to run their line forty miles distant from the line of the proposed Pacific Railway. The hon. member for Marquette

thought the distance too large ; he (Mr. Masson) did not think it large enough. No line should be built at a distance from the Pacific Railway which would interfere with the traffic of that road. A distance of forty miles was only twenty miles on each side of the road, which was a great deal too near. He did not believe this Bill was a proper one. It gave too much power to the Government, and would stop the construction of the Pacific Railway. This Bill was the greatest condemnation which the hon. gentlemen could cast upon themselves; it proved that they had deceived the country when they had stated that the lands were not worth enough to build the railway.

Mr. SMITH (Selkirk) said he could not at all agree with the hon. member for Terrebonne. The hon. gentleman had spoken of the proposition of the right hon. member for Kingston as being one and the same with that of the hon. the Minister of the Interior. It was very true that the Pacific Railway Bill of the former Premier contemplated a land grant out of which the railway was to be built. But it must be remembered that the conditions were altogether different. That railway was to be extended from Ontario to British Columbia. It was to pass through what, certainly, was a wilderness, what was admitted on all hands to be a wilderness, and it was very certain that a grant on that portion of the territory north of Lake Superior would never be of any value to any company in the prosecution of the work, so far as getting money for the land was concerned. What was proposed by the hon. the Minister of the Interior? It was proposed to give a land grant for colonization roads which were to be built within that portion of the territory. There were, already, settlements in Manitoba extending up as far as Little Saskatchewan, or one hundred miles beyond. The subsidy proposed was land to the extent mentioned in the Bill, or money up to \$10,000, which would be sufficient to meet some 80 per cent. or 90 per cent. of the cost of the railway. Certainly, if they were to build railways through this country, they

could find lands of equal value to those within the fertile belt. So that the conditions were entirely different. With regard to the distance of forty miles, it must be between the branch of the Northern Pacific and that of any other railway passing in the same direction, and certainly the provision was a good one. At the same time, he would, certainly, not shut out the intervening country from the advantage of the railway. He thought the hon. the Minister of the Interior, in a telegram which he had sent to the people of Winnipeg, a short time ago, correcting a misapprehension on their part that they would be blocked out altogether from having a railway, mentioned that those who had received lands south of Lake Manitoba, would be required to pay, according to their lands, \$2 or \$2.50 per acre for land on the line of the railway. He thought the hon. the Minister of the Interior might go further than this, and, also, give a subsidy to any railway running in the central portion, where lands, in large quantities, could not be found on the line of the railway, by taking a certain quantity of land out of the other portions of the fertile belt. On the whole, he thought that, with some amendments to the Bill in Committee, it would enable railways to be built, passing through the best part of the country, and be a very great benefit to settlers. The hon. member for Terrebonne had said that forty miles would be too short a distance. There was a line running near the Red River and another line running from 30 to 50 miles distant from that road, and also along the Red River, and both of those lines, even at the present time, were paying very well, notwithstanding the fact that the country was not fully settled. He saw no reason why the same results should not be obtained in Manitoba and the North-West, where the conditions were equally favourable, and where the land was equally fertile with any in Minnesota or in any other part of the continent. With some trifling amendments, which might be made in Committee, the Bill might be rendered very beneficial to the people of the North-West, as well as to the Dominion at large.

**MR. SMITH.**

MR. POPE (Compton) said the Bill appeared to be one giving extraordinary powers. Any number of men complying with the provisions, and paying 10 per cent. to the Government, would have the right to build railways, if they were 40 miles distant from each other. He had been, hitherto, and was now, a strong advocate for building a railway through that country. It would tax the powers of the Dominion to their full extent to build the one railway provided for under the agreement entered into with British Columbia and Manitoba, and their first efforts must be given to carrying out those agreements. The construction of a Pacific Railway was part of the agreement of the Union of British Columbia with Canada, and the country was bound, before entering into any large engagement or making any other disposition of public lands in the North-West, to carry out that engagement. The power to build railways to any extent, provided they were 40 miles from each other, was one which should not be placed in the hands of any people without the consent of the Government being obtained to each scheme, and he did not observe that they retained any authority in the Bill. If parties deposited five or ten per cent. on the cost, nine-tenths of the money would come from the Dominion Government, either in cash or in bonds. It was improper that the Government should thus place at the disposal of any number of parties a large portion of the public domain, especially did he think so when he remembered that, as soon as the late Government proposed to appropriate a large quantity of public land for the purpose of building a railway through that country, hon. gentlemen opposite raised a howl through the Dominion, and, night after night, in the House, declared that they were about to prevent immigrants going in, and were placing the country in the hands of speculators. He could well understand that, if the Government were about to build the Pacific Railway—and he hoped they were, for its construction was in the interests of the country—that assistance should be given in the shape of public lands; but, he could not understand why,



under the present Bill, Parliament should be deprived of the right of considering each charter, and deciding what subsidy should be granted to each road. It was impossible to understand why a different policy should be adopted for the North-West in that regard than that which had been found quite satisfactory in the old Provinces. The hon. member for Selkirk (Mr. Smith) had said this was a different question from that of the Pacific Railway, for the latter road would pass through a country where the land was comparatively worthless. Undoubtedly that was true, to a certain extent, but the hon. member had forgotten that the land subsidy, under the old Act, could be given in sections where it was fertile.

MR. SMITH (Selkirk) said it would be impossible to find the necessary quantity of good land near the Pacific Railway.

MR. POPE (Compton) said he agreed it might be impossible to find it in close proximity to the railway; but it could be taken anywhere in the fertile belt and where the land was good, and the argument of the hon. gentleman, therefore, consequently, fell to the ground. The hon. member for Norfolk had said he could build a railway from Red River to Lake Superior, and would pay the cost in money. He (Mr. Pope) favoured the payment of the cost in money, if it were necessary, but that was no reason why they should throw away the public land instead of endeavouring to recoup themselves from its sale. That was the policy of the late Government, which declared to the House and the country that they were about to give \$30,000,000 and 50,000,000 acres of land towards the construction of the Canadian Pacific Railway, but reserved every alternate block, so that these lands, when sold, would recoup the Government for the money payment. Hon. gentlemen opposite, however, declared that the Government would never be able to sell the land, that settlers would be prevented from going into the country, that the public lands would be placed in the hands of speculators, that the railway would cost \$200,000,000, and that \$30,000,000

would only commence it. He was, however, anxious to see the North-West settled, and it was necessary that we should have an additional population to aid in sharing the public burdens, of which they had no reason to complain. The money had been expended in legitimate works, not in war; the country had received value for every dollar spent in public works and improvements and in the purchase of the North-West territory, and he was not afraid or ashamed of the debt of the Dominion. When the debt came to be paid, he hoped Canada would have a population of 50,000,000 instead of 4,000,000, and that the immigration would be such that the burdens, though heavy, would be diminished per capita. While it was important that the country should be settled, it was also necessary that railways should be constructed, for when it cost one-half the value of wheat to convey it to a market, the settlement of the country could not be expected to progress. Hence the whole power of the Government should be directed to the building of one line into the North-West country. It was idle to talk of sending settlers into that region unless facilities were provided for getting their produce to market. In the present position of settlement in the North-West, it was difficult for farmers to do well. He quite agreed with the opinion expressed that the North-West could not progress except railway communication was afforded. The American people did not commence by building railways in every direction, but ran a railway from the great centres of New England into the western country, and afterwards developed the territory by running other lines through it. Under the present Bill, it seemed as if we were beginning at the other end, and proposing to build several lines instead of pushing one line through the country. It might, however, subsequently appear that the hon. the Premier would submit a scheme by which he would push through a main line as rapidly as possible, and when he submitted a feasible scheme of that kind, and one within the resources of the country, he would be glad to give the hon. gentleman his assistance and vote.

MR. MACKENZIE: I am afraid the hon. gentleman will say, like a certain sour Scotchman, that he was open to conviction, but he would like to see the man who could convince him.

MR. POPE (Compton) said he was a little sceptical in regard to the hon. Minister proposing a very good scheme, but still he entertained some hope, for they were educating him to a proper sense of his duty.

MR. HUNTINGTON said he was glad hon. members opposite were willing to assume the role of educators, and there was no position in which they could so well follow the role they wished to play as educators of public opinion, as to remain on the Opposition benches. If they were, however, to be schoolmasters, they must be patient, and must not get excited, for the role required some degree of abstinence on the part of those playing it, in order to be fraught with good results. It was a very easy matter for hon. gentlemen opposite to criticize the Bill. They, like all great men of great intellect, great experience and great powers, were not tolerant towards those who, compared with themselves, were intellectual pigmies. It had been said that the Bill was undigested; but it was not every one who possessed the faculty of hon. gentlemen opposite for drawing Bills. It had been alleged that the Bills drawn by the Government were crude, and little thought had been bestowed upon them, and that it appeared to be necessary that some vigorous and powerful intellect should take hold of them; but let the patient educators continue patient, and, perhaps, the power of thought and expression might be developed on the Ministerial side of the House, and the advantages accruing from the life of the schoolmaster, which they were leading, would become more apparent in a little while. Speaking of the merits of the Bill now before the House, it appeared to him that the hon. member for Compton (Mr. Pope) had made as good a speech in the interest of the measure of the Minister of the Interior as he need require. That hon. member at one time occupied a position in the country which

had aided to educate his mind on the question of immigration and the development and expansion of the country which they all hoped was in store for it. The hon. gentleman had pictured the future of the North-West and its development, which could only result by people going into the country; but he recommended that they should not be thrown in too quickly, and that the energies of the Dominion should not be wasted in building side lines. So, because it had been suggested that the hon. the Minister of the Interior was becoming a little educated, he having come to have more faith, they were not willing to make converts. The schoolmasters should be satisfied, as they on the Ministerial benches were during twenty years, to see their principles grow, although administered by those in whom they had not confidence. It appeared that the people who should settle on one or the other side of the Pacific Railway were to have no such facilities until this road was constructed, and yet, because his hon. friend the Minister of the Interior showed a disposition, not only to afford facilities to those who were there, but also temptations for those who might be brought to come there, the hon. member for Compton said that his hon. friend (Mr. Mills) did not sincerely desire to push on the building of the Pacific Railway. Why did it follow that because one road was to be built, another must be discontinued? There could be nothing simpler than the provisions of this Bill. He was not going to say whether it was well or ill drawn. If it were ill drawn, the country would have the advantage of the experience of their schoolmasters, who would have the opportunity in Committee of licking it into shape and of invoking Lindley Murray if necessary, or the experience of hon. gentlemen opposite in building Pacific railways and developing North-West Territories, if they found this to be advantageous. What appeared to him to be the advantage which was calculated to give effect to the views of his hon. friend from Compton was this: that it afforded opportunity to men who were willing to invest their capital in the faith which made them

MR. POPE.

believe that the settlement of the country was to follow their endeavours to open up these lands, and it would tempt them to carry their views into effect and provide facilities for the accommodation of the population which they hoped to throw into the country. The only objection made to it by hon. gentlemen opposite was, that the resources of the Dominion would be wasted in attempting to develop this country, this beautiful country, which hon. gentlemen opposite told them they had shown the supporters of the Government years ago, was so full of promise, and so likely to add to the resources of the Dominion by its development. Hon. gentlemen opposite were also afraid that the Government would divert the resources of the country from the construction of the Pacific Railway, by developing this country. Why, he did not think that this sentiment should be pronounced by any member of the House, not even by the hon. member for Vancouver, who was generally so patriotically disposed in the direction of having the money of the country applied for that purpose. It did not follow that, because half a million, or a million, or five millions or more were spent on the one side in subduing the forest and bringing the land into cultivation and production, the country was weakened with regard to its powers of carrying out and accomplishing that other and that great undertaking. Let hon. gentlemen depend on the fact that there could be no better system, with regard to the North-West or any country, for the development of its resources and the education of the people up to the responsibilities of citizenship, whether it were in the enjoyment of a great product for their labour or in the exercise of their rights, than throwing upon them the responsibility of helping themselves. And what this Bill did, was to afford to those who went into the country, either with brawny arms or capital, an opportunity simply of trusting both in the investments they had made and in their appreciation of the results which were likely to flow from them; and, therefore, it threw upon this young community there—and the more it grew, the more power-

ful it would be—which they hoped to see growing rapidly, the responsibility of taking care of itself as it had opportunity of doing so.

MR. PLUMB said he had not had an opportunity that evening of hearing the reasons why a Bill of this kind had been introduced. It seemed to him that its title ought to be changed. It ought to be called a Bill to kill the Pacific Railway. If ever a measure had been brought forward which had upon its face, he would not say the intention, but certainly the object of killing that road and preventing it from being built, this Bill was it. In the first instance, it provided that any association of men might form companies to build railways in the Province of Manitoba and the North-West. They were required to subscribe \$12,000 a mile, and pay ten per cent. of that subscription; they then were to have, as the road was constructed, 6,400 acres of land along its route, up to the 102nd meridian. Beyond that they were to have 12 sections a mile, which added 1,280 acres more; and beyond that, for any lines connected with the Pacific Railway, and extending to Peace River, they were to have 20 sections a mile; and also, after the first 25 miles of the road were built, the land to which they were entitled was to be conveyed to them; and for every ten miles beyond this, they they were to be entitled to have the land so reserved along nine miles thereof conveyed to them. The Government reserved the right and privilege to give a bonus of \$10,000 a mile instead of the land; and roads running in the same general direction as the Pacific Railway were not to be built within 40 miles of that road. It was understood that the present direction of the Pacific Railway would pass to the north; and most of the settled land, at any rate, lay to the south of this route. This scheme seemed to him like one which would take away from the Government the best inducement that the Dominion had to hold out to contractors to build the main line. It was putting into the hands of those who were building railways under this scheme the best of the land. There was no doubt that the gentlemen who

would undertake to build railways under this Bill, would see to it that they laid out their lines in the most fertile sections of the North-West. They would take the best lands which the Government could now hold out as inducements to contractors to build other sections of the Pacific Railway which had not these advantages. These lands were the capital for the building of this road. The Opposition had always insisted that the lands of the North-West were the means by which the great highway would be constructed. This seemed to be a Bill to provide for parting with this capital. He could look upon it in no other light; and he thought that, the more it was examined, the more would those who were really interested in it and who were paying attention to these matters, see that, whatever might have been the motive for bringing it in, certainly the result would be that the best lands would go to those railway schemes, if they were feasible at all. At any rate, the Bill intended that this should be done; and they would then be deprived of the means of building the Pacific Railway proper. The great inducement for the building of it through other parts of the country where the lands were less valuable, would be, of course, the land grants which would be given to the contractors. There would be great objection to giving out contracts for sections of the railway through the best lands without at the same time providing for the construction of the other parts, for they would be more difficult to build, and there would be less inducement to offer to contractors. The Government had already undertaken a very large and important portion of the line between Red River and Kaministiquia. Part of this line was unfinished. They had already undertaken to pay a very large sum of money for this line, and it seemed very hard, in view of this line being constructed, that a scheme should now be brought forward which—if it meant anything—would take away the business from this line; for it was not pretended, and it could not be pretended, that these lines would be feeders to the main line of the Pacific Railway. If they were to be built, as he supposed they would be, in the south-

ern part of Manitoba, far below the Pacific Railway, they would form feeders to the American lines with which they would communicate, or with the branch line to Pembina. That was one difficulty, and it stared them in the face; it was a very great one, and it regarded the roads to be constructed which would take the produce of that country across the American frontier, and on which an enormous duty was levied. This duty would have to be paid. The settlers must ship their grain along the line of these roads, which must necessarily tend to the American frontier; and when it arrived there, whether willing or not, they would be obliged to pay the large impost which the American Customs levied on Canadian produce. He had no doubt that this objection did not occur to the hon. the Minister of the Interior when framing this Bill. The hon. gentleman on all occasions and under all circumstances insisted that the consumer paid the duty; and that, even under these obvious circumstances, sending produce across the American frontier, and the obvious condition of the farmer, who was endeavouring to find a market by crossing the line, the consumer paid the duty upon the grain. Of course, to carry out the hon. gentleman's argument—and it meant nothing unless it was carried out to its full extent—the farmer in Manitoba, lying alongside of the grainfields of Minnesota, sent his grain across the line, and the consumer absolutely paid 20c. per bushel for the sake of getting it there, when he could get wheat on his own side of the border for the same price without paying the 20c. duty. This was the argument which the hon. gentleman advanced respecting the tax on the farmer's produce; and, therefore, he had no doubt that, in framing this Bill, the hon. gentleman would not see the objection. They were told by the hon. member for North Norfolk (Mr. Charlton) that the American system of land grants for the building of railways had been generally adopted in the West. There could be no doubt about this, or the question that the population followed the construction of railroads in the Western States; but it was well known

that nearly all the best lands of the West had been, by means of railway charters, absorbed and monopolized by rings of railway contractors and speculators. He believed that this Bill would establish the same condition of things in the North-West Territories and in Manitoba. He objected, upon principle, to the building of railways by contractors. He considered that roads placed in the hands of contractors to be built were imperfectly built. They were not well constructed and they were not such roads as we wanted in this country. He could also say that, by this scheme, in view of the present price of iron and labour, the bonus that would be paid by the Government would nearly build these roads, and give them, free of cost, to the contractors who were fortunate enough to go there to build them. The great objection to the whole project, as he viewed it, was, that it would indefinitely postpone the building of the great line of the Pacific Railway, and would, in so far as that was concerned, prevent us from carrying out the pledges which this country had made, and the engagements we were under for the construction of the line across the continent as rapidly as was consistent with a non-increase of the burdens of the people by taxation. The Bill would take away the very means and capital that ought to have been employed for that purpose. They had already seen that there was a half-hearted policy adopted respecting the construction of this railway. The hon. Minister who had brought in this Bill had declared that he was not in favour of pledging the country to that work. The hon. gentleman was made to say—and he presumed that this was authentic—that “he was opposed to the policy of constructing a continuous railway to the Pacific as wholly beyond the resources of the country.” And the hon. gentleman, by this Bill, took away from the country its main resource for the purpose of carrying out that policy. The Pacific Railway policy of the Government did not seem to have been a success. Every Session some new plan was offered, and some new scheme was devised for its construction, so far as the

Government had ventured to go into the building of it at all. In the first instance they had the idea of using the magnificent water-stretches. We were to go to Lake Shebandowan, and from there to reach the line of the Dawson route, and then to go out to the North-West Angle, and from there to Red River. This scheme was abandoned, and the following year they heard that the road was to extend to the Lac des Mille Lacs and Port Savanne; but it was not intended, they were told by the Government, that the road was to terminate there for a number of years. A line was to be built from Red River this way, and to extend to Rat Portage, and it was to terminate there; and, in the meantime, they were informed that they would utilize the route from there by way of the lakes and rivers, and this at very little expense between those two points. But, singular as it might seem, the line did not stop at Port Savanne.

**MR. MACKENZIE:** Would it not be convenient to postpone this discussion until we come to that subject?

**MR. PLUMB** said he thought that this discussion was pertinent to this scheme. If it meant anything, it meant a change of the railway policy of the Government in respect to the North-West; that the lands which were to be appropriated to the building of the Pacific Railway were to be diverted from that purpose and put in the hands of railway speculators, who were to build colonization roads in Manitoba and the North-West; that the main line of the Pacific was to be indefinitely postponed; and that, instead of the Government leaving these lands for the benefit of settlers, it was intended to place them in the hands of railway contractors and builders; and the people who wanted to go to Manitoba and settle would have to treat with the men who owned the lands along the lines of railway. This was what the Bill meant, if it meant anything. The settlement of a country like Manitoba must follow the lines of railway, when the portion now settled was left behind. The very instant that railways were built, those who came to settle would seek these

lines and settle near them; and the railway contractors who would own these lands would either get their own price out of the settlers, or the Government would pay the former a subsidy of \$10,000 a mile, which, with 10 per cent. of the capital paid in would be almost sufficient, with the present price of iron and material, to build the roads, thus giving them to these companies for nothing. He could watch the eagerness and interest with which this legislation was looked upon by those who were ready to pounce upon these lands under these railway schemes; and no doubt there were people now waiting to see what success this Bill would meet, in order to lay out lines on the very best lands in Manitoba. He could understand too, how this would utterly destroy any hope they had of carrying the other line through the country and of securing, as was necessary to ensure the existence of the Dominion as a whole, the final completion of this great line between the Lakes and the Pacific Ocean, which would tax all the resources of our people, and which would require everything we had in the way of lands in order to facilitate its construction. He could see that this scheme was to delay the building of the main line and to prevent its being carried out; and he believed that the more this matter was discussed, the more clearly would this result be apparent to the members of the House. He had no doubt the Government had the power to pass the Bill; in fact, with the majority they had to back them, they could carry anything through the House. He thought it was the duty of every hon. gentleman who desired the success of the original Pacific Railway scheme to lift up his voice against this measure, which would murder and strangle it, if the House did not refuse to become a party thereto. The measure was one open to many objections, and, if passed, would have exactly the result predicted by hon. members of the Opposition.

MR. TROW said he had hitherto been under the impression that the Bill would commend itself to every member of the House. The hon. member for Northumberland had

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shown his total ignorance of the matter when he stated that the disposition of these lands to railway companies would absorb all the land in the North-West. If the hon. gentleman took a walk to the western block of the buildings, and looked at the great map there, he would find that there were over 180,000,000 acres of arable land in the North-West Territories. The railway companies would not absorb more than from 12,000,000 to 13,000,000 out of the 180,000,000 acres fit for cultivation. He knew of no country which required railway communication more than Manitoba and the North-West. Feeders were required in every direction to intersect the arable lands, which extended for thousands of miles, and the moment that companies undertook to construct railways, a tide of immigration would set in. Companies of that description had done more for the Western States of America than all the emigration agents the Government could have engaged. These railway companies had now thousands of agents in Europe, and it behoved the Government, if they wished to attract from Europe the surplus population going to Australia, to take advantage of the present opportunity. Now was the time to people those fertile prairies so easily cultivated. The State of Minnesota which, twenty years ago, contained only a handful of inhabitants, now possessed a population of at least two-thirds of a million. The lands in our North-West Territory, are more arable, and better adapted for farming purposes than Minnesota. That great country was not a mere strip of land, and feeders were required in every direction. He would have great pleasure in recording his vote for the Bill which was precisely what was needed. No company or corporation would undertake to build a railroad in a country unless they had some encouragement, and no better encouragement could be given than grants of land which would increase in value the moment the railway was in running order. Immigration would at once set in from the United States, because they had got to the limit of their arable land in the Eastern States, where, moreover, manufactures

were depressed. With such encouragement held out by this Government, thousands, and tens of thousands, of people would flock to that grand territory from the United States.

MR. SCHULTZ said that nothing which fell from the hon. Minister in introducing this Bill could fail to be grateful to the ears of anyone from Manitoba. The hopeful prediction of an increase in our population from four millions to forty millions in the near future, and his general estimate of the country, was to be attributed to his visit to the country last summer. Seeing was believing; and there could be no doubt, from the utterances of the Minister on the present occasion, but that he had come back deeply impressed, not only with the resources of the country, but with the necessity of their immediate development. Seeing that this was the case, it was all the more to be regretted that he had not succeeded in imbuing his colleagues with the same hopeful estimate of the resources and future of the North-West. That they had not been so convinced was shown by the Estimates for the expenditure of this year. If his hon. friend the Minister of Finance had believed this, we would not have found the amount to be expended on immigration cut down so as to almost completely shut off the possibility of European immigration; and if the Premier had at all shared his conviction, we would have found some effort made to place under contract the 180 miles, or "missing link," between Lac des Mille Lacs and Rat Portage. Till some vigour was infused into the effort to connect Manitoba direct with Thunder Bay, the people of the North-West would be loath to believe that such a Bill as the present one was likely to be a panacea for all their grievances. It was quite true that the route through the United States might be made to relieve the present situation somewhat, but not if, as rumour had it, a lease of the Pembina Branch for a term of years was contemplated to parties connected with the notorious Kittson Red River line. To do this was simply to create a monopoly on land instead of the monopoly by water, which now ex-

isted, and to throttle the best interests of the Province. He feared, from the reported utterances of a Minister of the Crown in the other branch of the Legislature, that there was little hope of through connection by the main line of the Canada Pacific with Thunder Bay for five or six years to come, as he was reported to have said that it was the intention of the Government to give the building of the 180 miles to some company which would undertake it. What Manitoba and the North-West wanted first was an outlet, then new roads; and, if the Government would aid local roads to meet the requirements of the Province, and push the main line of the Canada Pacific eastward, people would be satisfied. The Bill introduced by the hon. Minister, he would, of course, support, that was, if the 28th clause was amended in the direction indicated by the hon. member for Marquette. Without that change, the Bill would be inoperative, as far as Manitoba's interests were concerned; and, he trusted, generally, that when the Premier brought down his Pacific Railway policy, it would be found that he had given up his reckless, useless expenditure on the Fort Frances Canal, and would devote that money and other funds that could be applied, to the completion of the through route from Manitoba to Lake Superior.

MR. ROSS (Middlesex) said he was surprised that hon. gentlemen opposite, who had so long claimed to be the party of union and progress, should now offer such opposition to the proposals of the Minister of the Interior. Those hon. gentlemen claimed in the House and elsewhere all the credit for bringing about the federation scheme. They said it was originated by their wisdom, by their statesmanship it was developed and matured until the various Provinces were united, as at present. Now, however, when a scheme was proposed for the colonization, the settlement and the development of one of the Provinces of this Dominion, they placed obstacles in the way, questioned the *bona fides* of the scheme, and, in various ways, attempted to throw discredit on the plans of hon. gentlemen on the Government side for the

development of the material resources of the country. He was still more surprised to find his hon. friend from Niagara so exceedingly loud in his denunciation of the present scheme. That hon. gentleman came from a country whose common motto was, "no pent-up Utica contracts our bounds." One would have supposed that he would have inherited more or less of that spirit of enterprise which prevailed on the other side of the line. Here, however, when a scheme for the development of a large tract of country was under consideration, he did not, by any means, act up to such a motto, nor view the question from such a standpoint. To build that railway was a foregone conclusion; the faith of the Dominion was pledged to it. It was the will and wish of every hon. member in this House, that that road should be built, and, as quickly as the resources of the country would permit; and it was necessary that the lands through which it would pass should be as thickly populated as possible. Now, if there was one thing more than another calculated to give this population, it was a liberal system of railways. The hon. gentleman forgot that a number of railways would all contribute to the success of each other. For instance, in the Province of Ontario they had two large railways, the Grand Trunk and the Great Western. Had it contributed to their destruction to have railways throughout every part of the Province? Did the hon. gentleman not know that the greater the number of tributary lines and feeders a railway had, the greater would be the area drained for its traffic, and the greater the amount of business done. If they could drain the North-West by colonization railways, they would merely be constructing tributaries to the Pacific road, and helping the Dominion over any loss that might accrue from running that railway. His hon. friend forgot the vast area of the North-West. His knowledge of literary matters or the shortcomings of hon. members on the Government side was infinite, but his imagination was very limited and contracted when he came to consider the great area of the North-West. The territory of the Saskatche-

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wan was three times as large as the Province of Ontario. Would the hon. gentleman say that two or three, or a dozen lines of railway through the Saskatchewan country would tend to the destruction of the Pacific Railway? But the hon. gentleman went further. He said that, after this development, the trade would go to the south and the Pacific Railway would not get that trade. He was at fault again, for the natural current of the trade was in almost a contrary direction. The shortest line towards the water was always taken, other things being equal. The line would be more than four hundred miles shorter than any line to the south; and this fact alone would secure for our Pacific Railway any trade that might be developed by any lines built in the North-West. It was also said that these railways which might be added were purely local railways, and a comparison was attempted to be drawn between these and the Pacific Railway. The two schemes were entirely different: the one was a local railway for the purpose of colonization, and the other was a national railway for national purposes. They were told that the line of policy now proposed in the resolution before the House was precisely the same as that adopted by hon. gentlemen opposite at the time the charter of the Pacific Railway was passed in the House, and that it was then opposed by the Liberal party. He did not quite understand the charge made by hon. gentlemen, but he did not suppose that it could be substantiated. If they investigated the subject carefully they would find whether this statement had any foundation in fact. He failed to find, by any amendment or resolution, any objection to the appropriation of land for the Pacific Railway in the objections raised and the amendments proposed by the Liberal party at that time. They were not opposed to the granting of the land, but to the mode in which it was to be granted, and also some other provisions of the Pacific Railway charter. The first resolution moved in amendment was by Mr. Mackenzie, and was in these words:

"That the route to be adopted for the Pacific Railway shall be subject to the approval of Parliament, so as not to leave at



the discretion of the Governor in Council, the final determination of the location of a railway, towards the building of which it is proposed to give \$30,000,000 of the public funds and 50,000,000 acres of the public lands."

There was no objection here to the appropriation of land, but there was an objection to the line being located by the Governor in Council. The next resolution in amendment was proposed by the hon. the present First Minister, and in this objection was taken to the scheme because the contracts for the construction of the road were to be approved by the Governor in Council and not submitted to Parliament. The next resolution, proposed by Mr. Young, was with regard to the disposition of the fifty million acres of land; and in this, objection was not taken to the appropriation, but to the mode of disposing of these lands. Later on, when the Bill was before the House, there were various objections taken. One was with regard to the eastern terminus, and another, moved by Mr. Mackenzie, seconded by Mr. Dorion, was referred to the alternate lands held by the Government, and the provision made for disposing of those lands. When the Pacific Railway Bill was before the House, it was held by the hon. gentleman now leading the House that it would be but fair that the unoccupied or alternate lands held by the Government should be disposed of as the Government chose, without reference to the company building the line. He (Mr. Ross) considered this in itself was a sufficient guarantee to the people of this country that these lands would be disposed of in such a way as would best secure the settlement of the country. He had shown that the policy of the hon. gentlemen on his side of the House, as regarded the appropriation of lands, was what it had always been. This was the Liberal policy, a policy which held that, whatever this country possessed, whether money or territory, should be made subservient, not to a company or to individuals, but to the great interests and wants of the country. His hon. friend the member for Northumberland (Mr. Mitchell) seemed to think these western lands were the particular property of the Maritime

Provinces. They were not, however, the property of any Province; they were the patrimony of the people of this Dominion, and it was the duty of Parliament to use these lands for whatever purpose would tend to the development of the country. If they referred to the policy of the United States, they would find that, since 1852, 186,000,000 acres of land had been given by the American Government for the construction of various railways, and the result of that was, perhaps, more largely than anything else, to develop and settle the United States. If they had stopped in 1820, and had not adopted this policy, instead of a population of 45,000,000 they would have had one under 30,000,000. Now, we had the same opportunity as the Americans had possessed, of disposing of our lands for the purpose of encouraging immigration, for the purpose of bringing to this country a consuming population that would add materially, not only to its resources, but contribute to its revenue and give that return to which we were entitled. His hon. friend from South Perth (Mr. Trow), who had explored a considerable part of this vast territory at his own expense, told them the population of that country was very sparse. But what would be the effect of the railways? What had been the effect of building railways in Ontario and the Western States? The green ridges of the Indiana line fetched \$13.98; on the Burlington and Missouri, land sold for \$11.70; on the Illinois Central, \$11.40; the Chicago, Rock Island, and Pacific, \$7.53. The prices in the Western States varied from \$4.15 to \$13.98, the average price being \$7.04 on the whole extent of land held by railway companies and the Government. This large tract of territory in the North-West belonging to Canada, capable of sustaining twenty-eight millions of population, was lying waste; and hon. gentlemen opposite must know these lands would, for all time to come, be valueless and useless, except as preserves for the buffalo, unless dissected by railroads; and the Pacific Railway would be an intolerable burden to the country unless they threw in a population which would create a trade for the maintenance of that railway. He thought the Bill was

one for which the Government deserved particular credit, and he trusted the opposition to it would be just as feeble and futile as that already presented by the hon. member for Niagara (Mr. Plumb).

MR. WALLACE said he remembered when the building of the Pacific Railway was characterized as the mad scheme of a mad Government, and when hon. gentlemen opposite contended that the resources of this country were inadequate to the building of such a great road. He was pleased to find that they had changed their opinion, and that they now considered the resources of the country, not only adequate for the building of the Pacific Railway, but amply sufficient for building hundreds or thousands of miles of railway besides. They then decried the resources of this country; but, now that they were in office, they looked upon everything with a different eye, and believed the country was able to accomplish any undertaking, no matter how grand. He was opposed to the principle of this Bill for two reasons. First, he did not believe that it was in the interest of this country that we should create railway monopolies. He believed that railways were the highways of commerce, and that they should be owned and run by the Government in the interests of commerce. He thought we already had, in this country, an example of the evil results of railway monopoly. The companies did not look to the interests of the country, but to their own interests; and he did not blame them. What did they find was the case with reference to the great undertaking, the Grand Trunk Railway? Although it might be of immeasurable value to this country, it really did comparatively little to promote our interests. Although the people of this country gave fifteen millions of dollars to assist in the construction of this great work, yet they found that road was carrying the produce of the American farmers to market cheaper than it carried the produce of Canada. They found that, although the Dominion had invested this large amount in the work, the company was acting more in the interest

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of the United States than of this country. And yet the Government was about to create more monopolies. He did not say that the Grand Trunk Railway had been an injury to this country; on the contrary, he held that it had tended greatly to the advancement of this country, and the money paid to assist it was well expended; but he held that it would be far better if this country had found the whole of the capital and controlled the whole line in the interests of commerce. He opposed the Bill also on this principle: that he believed it was not advisable, in the interests of the people of this country, to put under the control of any individual or corporation so much of the public lands as was contemplated by this resolution. He believed that if it would pay a corporation to build these railways, it would pay the Dominion of Canada. He might be told, as they were often told, that these companies were the best emigration agents; that they would promote the settlement of the country. He believed they would; it was to their interests to do so; but he believed they would only do it to a certain extent. There would come a time when they would hold their land to get good prices for it. The hon. member for West Middlesex (Mr. Ross) had stated that the railway companies in the Western States were obtaining, on an average, \$6.50 per acre for land, thus showing that these companies were making tremendous profits out of the land given for the construction of those railways. He asked again, if it was profitable to the interests of individuals to build these roads and sell the land, why was it not in the interests of the people of this country that the Government should do that work. He held that the Government were neglectful of their duty, that they were recreant to the interests of the people of this country, in not building the railway and utilizing the lands for that purpose. There was not an hon. gentleman on this side of the House who would, for a moment, oppose the opening up and settlement of the great North-West. That was what they had always contended for. They had always thought it should remain the property of the Hudson

Bay Company or any company rather than this country should undertake to own it, unless they were going to utilize it in the interests of the people. The Government should build the great through railway. What was the use of building feeders to a trunk line before the trunk line was built? Build the trunk line, and then build the feeders which would bring trade to the trunk. It was incredible the Government should say the Opposition were opposed to progress. Hon. gentlemen on this side of the House were pledged to build the road, and their scheme had been characterized by hon. gentlemen opposite as the mad scheme of a mad Government. The hon. member for North Norfolk had said that it was utterly beyond the resources of the country, that it would entail on the country such a load that it would be destruction to the interests of this country; yet, after the utterance of these sentiments, these gentlemen said they were bound to build this road, and were anxious to do so much more than hon. gentlemen on this side of the House. Were they honest and consistent in what they had done, compared with what they were now doing.

Bill read the second time.

#### AUDITOR-GENERAL OF CANADA.

##### RESOLUTION.

House resolved itself into Committee of the Whole on the following resolution:

"That it is expedient to appoint an officer to be called the Auditor-General of Canada—salary not to exceed thirty-two hundred dollars per annum."

(In the Committee.)

Resolution ordered to be reported.

House resumed.

Resolution reported.

#### DECKLOADS LAW AMENDMENT BILL.

[BILL No. 62.]

(Mr. Smith, Westmoreland.)

##### FIRST READING.

House resolved itself into Committee of the Whole on the following resolution:

"That it is expedient to provide, that so much of the Act of the Parliament of Canada, passed in the thirty-sixth year of Her Majesty's reign and intituled an Act respecting Deckloads as would make it unlawful for any master of a ship, at a certain season to carry live stock, on or above any part of the upper deck of such ship be repealed; and that the words 'any cargo of any description to any heighth exceeding three feet above deck,' in the second section in the said Act, shall not include or apply to live stock."

(In the Committee.)

MR. MITCHELL said he would call the attention of the Minister to the fact that a relaxation of the rules relating to live stock on deck might possibly threaten the safety of passengers. He would ask him whether he had seriously considered the effects this permission would have, and whether there had been any limitation of the quantity of cattle. The measure was an unwise one in the interests of the cattle and in the interests of the passengers. He had consulted one of the largest importers in the Dominion, and he expressed the opinion that vessels should not be allowed to carry cattle on deck. At all events, it was unwise to allow cattle to be carried on deck during an inclement season of the year; and moreover, on the score of humanity, the cattle should not be exposed to bad weather.

MR. SMITH (Westmoreland) said that, up to 1st October, cattle could now be carried the same as any other deck cargo, and the restriction only applied from that date to 16th March. He was satisfied, from information gathered, that the lives of passengers would not be placed in greater danger thereby. The structures on deck to hold the cattle would be of a permanent character. He had letters on the subject from the Harbour Master and other officers in Montreal, from whence steamers carried cattle. The Deckload Law passed in 1873 did not contemplate the building up of the cattle trade with England.

MR. MITCHELL: No such trade then existed.

MR. SMITH said that, while the Dominion Deckload Law was

applicable to all descriptions of cargo, the English Act did not apply to cattle cargoes. In the United States there was no restriction whatever, and, as the Americans were shipping cattle, it was necessary that there should be no restriction which would hamper the action of the shippers of this country in competing with them.

Resolution ordered to be reported.

House resumed.

Resolution reported, read the first and second times, and agreed to.

MR. SMITH (Westmoreland) introduced a Bill (No. 62) To amend the Law respecting Deck Loads.

Bill read the first time.

#### ONTARIO MARITIME COURT BILL.

[BILL No. 50.]

(Mr. Laflamme.)

#### THIRD READING.

House resolved itself into Committee of the Whole on the said Bill.

(In the Committee.)

MR. MITCHELL said he objected to the character of the legislation proposed in the Bill, which would apply to vessels belonging to the Maritime Provinces that were in Ontario waters. The measure proposed to adopt certain regulations of the Court of Chancery, which were not generally known. Suppose he was asked, next summer, by one of his constituents who happened to have a ship on the Lakes, how such and such a condition of things would be affected by this legislation, he would be obliged to reply that he did not know. "Then you ought to know, for you passed the Act," would be the rejoinder. The Bill gave powers to this Court, based on those of the Court of Chancery of Ontario, and he did not know what these were. He had never seen the Ontario Statute to his knowledge.

MR. LAFLAMME said that this provision merely related to the execution of judgments. This Court was established with a limited jurisdiction, extending in no manner beyond the Province of Ontario. This provision

MR. SMITH.

simply gave to the judgments of the Court the same mode of execution as was attached to the judgments of the Ontario Court of Chancery. In that Court, this was exactly the same as in a Common Law Court, and, consequently, there was no room for any misinterpretation, and no need for embodying in this Act all the regulations which concerned the issue of the writ. According to the law affecting the Vice-Admiralty Courts in England, there was no process of execution. They could not obtain the satisfaction of the judgment, save by issuing an attachment against the person or vessel; and this Bill secured the ordinary remedies of a Court of Justice of Common Law, with regard to the process of execution alone. The execution was merely taken out in the ordinary way, and this was what the Bill intended to provide.

MR. MITCHELL said that vessels from Quebec or the Lower Provinces entering Ontario waters were, while in them, subject to Ontario laws with regard to collisions, etc., and hence it was important for ship-owners in those Provinces to know what the laws of Ontario, in this respect, were. Nearly one-half of the whole carrying trade of the Lakes was done by Quebec vessel owners. This being the case, it would be much more convenient to have the powers given in these laws stated explicitly in them, as, otherwise, lawyers familiar with the Ontario Statutes, must be consulted to discover their tenor. If the powers were so stated, he could interpret these laws himself. Of course, as the hon. gentleman explained that this provision was simply introduced with regard to the execution of a writ, that removed considerable difficulty; but he could easily understand how, if they were giving extended powers to this Court, this would be a very objectionable form of legislation.

Bill ordered to be reported.

House resumed.

Bill reported, read the third time, and passed.

House adjourned at  
Ten minutes after  
Twelve o'clock.

## HOUSE OF COMMONS.

Friday, 29th March, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

## BUSINESS OF THE HOUSE.

## RESOLUTION PROPOSED.

MR. MACKENZIE moved that Government business shall have precedence immediately after routine proceedings on Mondays for the remainder of the Session.

MR. MASSON said he was sure the First Minister would see that it was not proper to take this day away from them, in view of the fact that, if the Session lasted about four weeks more, the private members would have, in all, only about eight hours for private business—only about two hours each week. He appealed to the hon. gentleman to know whether, if he (Mr. Mackenzie) was in their place, he would not require the Government to give him Monday next. He felt certain that, if they were in the hon. gentleman's place, they would grant such a request immediately,

MR. MACKENZIE said, of course, he had but one object. The length of the Session was a matter of comparative indifference to the Government; but the discussion had been so varied and ample and upon so many topics, that almost the entire time for the past seven weeks had been so occupied, and it was in the interest of the members generally that they should have more time for the Government business, which must be done. There were no Private Bills before the House to take up any time whatever, there was actually no private business for consideration, except Notices of Motion, most of which, he thought, would require very little discussion. He would have no objection, as Monday was allowed for Notices of Motion, to grant the members Monday, and take Wednesday next in its stead.

MR. MASSON said the Government should, previous to taking Monday, take Saturday. There were very im-

portant notices of motion on the paper; a great many of the hon. gentlemen opposite had such notices down; and, if not for the Opposition, the Government should grant the request made, on behalf of its friends. If the Government business was not more advanced, this was not the fault of the Opposition. They had pretty thoroughly discussed the Government measures, it was true; but, the bringing down of Bills had nothing to do with the debates on them, and the hon. gentleman well knew that the Intoxicating Liquors Bill had not yet come before the House; and the Bill for the better auditing of Public Accounts had just been introduced. Consequently, the hon. gentleman would see that he would meet the wishes of the House if he would yield the point in question gracefully. He would, however, have no objection to the Government taking Monday week.

MR. LANGEVIN said he hoped that the hon. gentleman would accept the proposition of the hon. member for Terrebonne.

MR. MACKENZIE: I will make an arrangement to take Wednesday next week and the Mondays afterwards.

MR. LANGEVIN said that the result of this would be that Public Bills and Orders would not be reached.

MR. HOLTON said he would simply point out that they had reached a stage of the Session when debates on Notices of Motion were of little practical importance. The change proposed by the hon. the First Minister would leave the whole of the afternoon of Wednesday for Notices of Motion, and they could then go through the whole list which simply looked to the production of papers. At this stage of the Session, the House really should not desire lengthy discussions on motions for papers. There would be ample opportunity for legitimate discussion on the Estimates and the various measures before the House, but if they were to bring the business of the Session to a close within any reasonable time, it was quite obvious that the Government must have possession of days enough to advance the necessary

business of the country and bring it to a conclusion. All the notices of any practical value to any one could be got through with on Wednesday afternoon, if the motion of his hon. friend were adopted.

Mr. MITCHELL said he had listened with some degree of surprise to the motion made by the hon. the First Minister, to take away a day from the people, because on this point he agreed with the hon. member for Terrebonne, and considered that the Opposition represented the people on this occasion.

Mr. HOLTON: I think that the majority are generally supposed to represent the people.

Mr. BOWELL: Not in Quebec.

Mr. MITCHELL said that the hon. the First Minister proposed to take from the people the right of free discussion. At present, they had only Monday and two hours on Wednesday for this purpose. The hon. gentleman said that, practically, there was no private business before the House, but the notices of motion numbered eighty; and did hon. gentlemen put them on the paper for nothing; for mere show?

An Hon. MEMBER: Yes.

Mr. MITCHELL: For mere electioneering clap-trap? This might be the case with hon. gentlemen on the other side of the House. It would take six days to get through with these notices of motion; yet the hon. gentlemen sitting on the Government side of the House proposed to take away the only day when they could bring up matters of public complaint, either against the Government or Government officials, and seek to remedy injustice done or to redress grievances that existed, for which people could get no compensation or relief. He was surprised at the action of the hon. member for Chateauguay, who was supposed to be the father of the House, who was the right bower of the Government and the moral brake of the Administration, and who always came forward with rules and orders and regulations and precedents in order to suit the interests of the Government, whenever it suited their purpose to put him forward. The hon. gentleman now came forward and told the House that there

Mr. HOLTON.

was nothing of importance on the notice paper. What did he know about it? The hon. gentlemen who placed those motions on the notice paper in the interests of their constituents were the best judges of that. He (Mr. Mitchell) had a motion of very considerable importance there himself. It was unfair to attempt to stifle discussion on these matters. Did the Government wish to make this House a close Parliament, without a single opportunity being given to hon. gentlemen who desire to press the claims of their constituents?

Mr. MACKENZIE: After hearing the eloquent speech of my hon. friend from Northumberland, and, considering that Monday next is the 1st of April, I think I will leave that day to the Opposition; in other words, the resolution will come into force on Monday, April 8th.

Mr. MASSON: If the hon. the First Minister does that, he will be interfering with his friends, to whom eleven of the eighteen motions on the paper belong.

Mr. HOLTON: It is not a question of friends.

Mr. TROW said it ill became the hon. member for Northumberland to make such an exhibition of public morality, because he (Mr. Trow) did not know any other gentleman who so frequently heaped on the Government a tirade of abuse. He said that members on the Government side had brought forward clap-trap motions. He (Mr. Trow) was astonished that the hon. gentleman, above all others, should say so, because he had been frequently heard to threaten the Government because they did not appear to have arranged satisfactorily with regard to some paltry matter, such as the payment for Molly Maguire's bull. In reference to matters of that description, he very often carried out his threat, and occupied hours in abusing the Ministry.

Mr. MITCHELL: I did not cast threats at the supporters of the Government, but as exception is taken to using the phrase, "cast iron majority," I will take it back. I am very sorry that I should have used an

anparliamentary expression, and will apologize by saying they are the most pliable majority I ever knew.

MR. POPE (Compton) said the business of this Dominion could not be properly done in a short Session of three months. Already there were eighty notices of motion on the paper, many of which ought, properly, to be acted upon this Session; but that could not be done if the House adjourned in three or four weeks. The Session should not be limited to any particular number of weeks; what the people expected of them was, that they should transact their business, no matter whether they had to bear their own expenses. He felt that the business of the House had always been too much hurried, and thought some change should be introduced in that respect. On the paper there were eighteen Public Bills, some of them of considerable importance, which ought to be discussed for a whole day. Then there were seven or eight Private Bills of some importance, besides eighty notices of motion, and there were also returns upon which the House should take action, if time permitted.

MR. DAVIES said that members coming from a long distance felt it a great hardship to remain here too long. They could not go home every Saturday and transact their private business like the hon. members who come from the Provinces of Quebec and Ontario. Members from a distance would like to see business done on Saturdays, because the work of the Session would thus be expedited, but he presumed Ministers required that day to prepare measures intended to be brought before the House.

SIR JOHN A. MACDONALD said it had become necessary, in consequence of the growing legislation of this country, to extend the limit of the Parliamentary Session. Two months was insufficient time properly to administer the affairs of the Dominion, and they must make up their minds hereafter—not, perhaps, during the present Session—that three months was the least Session which they ought properly to have. It was impossible to have the advantage of the opinion of the country

at the present time upon any great measure. The Government brought some of their measures down early, others in the middle, and some at the end of the Session. The people of this country had not, therefore, the same advantages as the people of England, nor had they the same control over their representatives in the Legislature. One would suppose that the Parliament of Canada was framed simply for the purpose of carrying, by a majority, Government measures, and evading as much as possible any inconvenient discussions brought up by those who had not the confidence of the Ministry of the day. It had been truly said by some of the leading members of the English Parliament, including Mr. Bright, that the adoption of all legislation by Government, to the sacrifice of the duties of administration by Government, was a modern change, and a change for the worse. One of these English statesmen, in an able speech on that subject, stated that the business of the Government was administrative and not legislative, that they had to take up the great lines of public policy. Now, only a few great measures were brought in by the Government of England, and the remainder were left to be placed on the Statute-book by the exertion of particular members. Unless this practice was introduced into the Canadian Parliament we would not be administering our representative institutions for the benefit of the country to the same extent as in England. He did not refer particularly to the present Government, for the same remark applied to almost every Government—that of which he was a member, as well as that now in power. It was the interest of every Government to get through their work as conveniently as possible, and get the Estimates passed with as little opposition as possible. It was their interest also to evade any inconvenient questions from the Opposition, such as gentlemen on the other side, in times of old, were in the habit of asking the Government of the day who—of course, in a legitimate and parliamentary way—were anxious to prevent some of those from being discussed. That charge was always brought by

the Opposition against the Administration of the day, whether Liberal or Conservative, and the very inconvenience which the Government experienced was proof that it was required. Every member of the House was supposed to have equal rights, be the constituency which he represented large or small. He was supposed to be a man of capacity, or he would not be a representative of the people, and he was supposed to have the interests of the country at heart. When, therefore, he put a motion on the paper, he did so in the exercise of his judgment, believing that what he did was in the interests of the country. And, when it was found that there were on the motion paper, notices of motion affecting a great variety of subjects connected with the Dominion, the leaders of the Government would have to be responsible to the people if they thwarted hon. gentlemen who were the people's representatives. It was not necessary to say: "The spring is coming on, and we want to go back to our business." Those gentlemen who said: "We come from a distance, and we want to get home," should have counted the cost before enlisting in the public service by becoming members of Parliament. Parliament was not made for them; they were made for Parliament, and they must sacrifice their own personal interests if needs be. No hon. gentleman on either side of the House had a right to say the notice paper did not contain anything of importance, and, therefore, cast it aside. The hon. members who put these notices on the paper, should be the judges, and should be afforded an opportunity for their motions being heard. There were eighty motions on the notice paper, and members representing the people said: "We want these things to be brought before Parliament and the people," but the Government said: "We will not bear them." That was smothering the voice of the people. Representative institutions in Canada ought to be just made to assimilate to those of England, so that the voice of the people might be listened to, and every opportunity should be given hon. members of bringing before the House what

SIR JOHN A. MACDONALD.

they desired in the way of legislation or information. All Governments were inclined to be against troublesome motions and questions, and he no doubt, if he sat on the other side of the House, would not speak so strongly as he did at this moment. Still, he was speaking the truth—he was speaking the Parliamentary truth, in the strongest way, and he said that the hon. First Minister had taken a day from the general work of the House, which he ought not to have done so early in the Session. The Government business was not very voluminous, or very heavy, and yet they had taken the whole Session, except one afternoon, Wednesday, to carry out their legislation, leaving the general business of the country unfinished, and without a chance of being finished. This was not right. With the growth of the Dominion and the increase of our population, and the increased number of questions coming before the House, they must make a sacrifice and come to Parliament for a larger portion of the year than they now did. In England, Parliament sat seven months of the year, and members did not get anything for it. They in this House had what he was bound to say was a handsome compensation for the amount of time given, and yet they grumbled at sitting too much. The Government had taken up too much of the time of this House, too many days.

MR. MACKENZIE: But it is our own time.

SIR JOHN A. MACDONALD said no one could check the course of discussion in Parliament. Ministers had tried that in days of old, but the Government of the day and hon. members must submit to the temper and the feeling of the House. What some hon. gentlemen might consider important, the Government of the day might consider inconvenient and factious; they must submit to that as a natural consequence of free institutions. Then again, the hon. Premier, with the laudable desire of getting through the business, worked the House very hard on Government days; they sat until three, four and even five o'clock, and yet on private members' days the House always adjourned at half-past



ten or eleven, and if an Ash Wednesday or a Thanksgiving Day came round—he would say nothing about the gay assemblies in gilded saloons and other matters carrying people away from the sterner duties of Parliament—the hon. gentleman had been most considerate of the desire of the House, especially if these holidays did not happen on a Government day. When private members had Thursdays, he adjourned the House at half-past ten, but afterwards they sat until two o'clock. He thought the hon. gentleman was strong enough to carry the resolution, but he said again, that hon. members must be prepared to sacrifice themselves for their country a little more than they were doing.

Motion amended by adding the words "after Monday next" before "Government business," and *agreed to* on a division.

POST-OFFICE ACT AMENDMENT  
BILL—[BILL No. 17.]

(*Mr. Huntington.*)

THIRD READING.

Amendments reported from Committee of the Whole, *read the first and second times and agreed to.*

MR. HUNTINGTON, in moving the third reading of the Bill, said he observed that, when the subject was under discussion yesterday, a suggestion was made to the hon. member for Ottawa (Mr. Currier) that he should leave his amendment until the third reading. He did not see the hon. gentleman in his place, but he had considered the amendment, and was unable to accept it. The hon. member proposed that drop-letters, which were now charged 1c. per letter of half an ounce weight, should only be charged that sum no matter what the weight. He (Mr. Huntington) considered that it would be very inconvenient, as the result would be to make common carriers of the Post-Office.

MR. PALMER said he would still ask that the clause be amended, if not to the extent asked for, to two ounces. He thought it would be a great benefit to fix two ounces as the weight for a

cent stamp, as that weight would cover most letters, and obviate the necessity for weighing.

MR. KIRKPATRICK said he thought an objection of the hon. member for Ottawa was, that a partially stamped drop-letter should be sent to the dead-letter office.

MR. HUNTINGTON: The hon. gentleman is under a misapprehension. They are not sent to the dead-letter office, but a second charge is made on delivery.

MR. McDOUGALL (Renfrew) said he certainly understood the objection of the hon. member for Ottawa to be that, when drop-letters were not sufficiently stamped, they were not delivered.

MR. HUNTINGTON said the rate was 1c. per half ounce, and, by regulation, letters not sufficiently prepaid would be charged double the amount of the deficiency; and, if they were redirected, a rate of six cents was charged, including the one on the letter, according to another provision, as was stated by the hon. member for Cumberland last night.

MR. JONES (Leeds) said the hon. member for Cumberland (Mr. Tupper) had taken exception to this practice, and he (Mr. Jones) was also of opinion that it was wrong. He did not think that when a letter was simply forwarded to another place, five cents extra should be charged upon it.

MR. HUNTINGTON said it was the practice of all civilized countries.

MR. DEWDNEY said that, last summer, Admiral de Horsey gave a ball at Victoria, and the invitations were posted in Victoria. Some of these invitations were addressed to places outside the limits of the city, and, because they were insufficiently stamped, they were not delivered, but were sent to the dead-letter office at Ottawa, simply because the addresses were a few miles out of the limits.

MR. HUNTINGTON: That may be the case; many postmasters make mistakes.

MR. McCARTHY said that, although it was the law that these insufficiently paid letters were to be delivered and not

sent to the dead-letter office, there was a regulation providing for the latter course. He thought that, now the Bill was under discussion, that regulation should be amended.

Bill read the third time and passed.

HOMESTEAD EXEMPTION BILL.

[BILL No. 44.]

(Mr. Mills.)

SECOND READING.

Order for second reading read.

MR. MILLS said the principle of the Bill was well understood in this country, and it had been recognized in the law of property in many of the neighbouring States. He believed there were thirty-six cities in the neighbouring States where this principle was in existence. In his opinion there was nothing of more consequence to the population of a country than provisions for securing the transmission of family property, and this was the object for which the Bill was framed. It had been sometimes said, in opposition to the principle of homestead exemption, that it encouraged dishonesty, that persons improperly obtained credit in consequence, and that creditors were improperly kept out of their rights. Where the homestead exemption existed, people were aware of it, and no one would give credit to another with reference to the property thus exempted; and, in periods of depression, nothing tended to give greater security and to preserve a home amongst the less wealthy class of the population than this principle of exemption law. It had been said by a learned Judge, in one of the Western States, that there had, perhaps, been nothing, during the period of depression during the past four years in the United States, which had tended so much to preserve law and order in the various States as the principle of homestead exemption; for a large portion of the suffering population, instead of being tenants, were proprietors of the houses and lots which they occupied. It had also been observed that the losses sustained by creditors in those States where the principle of homestead exemption prevailed, were

MR. MCCARTHY.

less than in those where there were no restrictions of this kind. He had no doubt whatever, that the extension of this principle to our North-West Territory, cherished as it was by the population of the adjoining community, important as it was considered by the emigrants to that country, would prove of great benefit to the people of this Dominion. The principle of homestead exemption was one which was thoroughly defensible and well understood. It proceeded upon the principle that the family, and not the individual, was the unit in society. It recognized the fact, although the law generally treated the head of the family as the absolute proprietor of the property which he controlled, that this property was also the product of the industry of his wife and children, that they had some interest in it, which the law ought to recognize and, in some measure, to protect. It recognized a principle which tended to promote industry because it gave security to the family. It impressed upon the mind of the family the strong conviction that, whatever might be the habits of the head of the family, whether he was disposed to be reckless or extravagant, or to improperly become surety for another, there was a certain portion of wealth which they possessed, the domicile which they inhabited, which was perfectly secured against risks and damages of this kind. Those who had given any attention to the existence of things in Prussia shortly after the war of 1804-5 knew quite well the actual condition of things which had then existed there; that almost all the small proprietors had been reduced to beggary, that their property had been largely encumbered in order to provide for the time being the necessary means of subsistence. The result was a general tendency, on the part of large proprietors, to buy these small estates. In fact, there was great danger that the large distribution of property which had been effected under the wise administration of Frederick the Great, would be completely overthrown by the distress which lasted after the invasion. Two distinguished Prussian statesmen, Staen and Schultz, who occupied prominent positions in public affairs, and

who, by their wisdom and foresight, had largely contributed to retrieve the fortunes of that country, were divided upon this question. They were both disciples of Adam Smith, but, upon this question, they differed on the application of the principle. Schultz took the position that the State ought to be perfectly indifferent as to the hands into which property passed; and Staen took the opposite position, and, though there were other economical conditions which ought to be considered, yet he held that these were certain principles of social organism which the Government could not entirely overlook, and that it was of great importance to give something like fixity to the conditions of society, and to preserve, as then existed, if it could be done without serious interference with private rights, the distribution of property which then prevailed. These ideas were adopted, and the difficulties which existed immediately after the war, were tided over, and every one who had recently looked into the condition of things must be aware how largely the policy which had then been adopted, contributed to the prosperity which subsequently followed. It seemed to him that, in this matter, they were encouraging industry and recognizing domestic rights, and largely contributing to the fixity of our population. He had already said that the Prussian statesman, Staen, had recognized the importance of what he called social organism. It seemed to him that it was a matter of very great consequence that a certain amount of the property possessed by every family and individual should be, to some extent, protected against adverse fortune. In fact, he was inclined to think that if this principle were fully recognized throughout this Dominion, there would be less occasion to discuss the question of insolvency legislation. He had already said that no creditor would be wronged in any way. He would be notified by the law what he could take in execution and what he could not. It was of more consequence to the public well-being that it should not be in the power of any individual, for simple commercial considerations, to break up the social organism, to take

a man and his family out of the possession of their property, to interfere with these domestic relations which had been formed in a particular locality where they resided and throw him and his wife and children upon the world again, in fact to break up their connection with the community to which they belonged. There was another important influence which had grown out of homestead legislation. It was the generous treatment which men in commercial adversities had received at the hands of the population at large. Where there was a ruthless law permitting the last dollar to be taken under an execution for debt incurred, or in consequence of security given by the individual out of property which was not merely the product of his own industry, and which belonged to him morally as well as legally, but which was also the product of the industry of his wife and family, a feeling of indifference to the welfare and well-being of others would be developed. He thought that almost in every community the man who was engaged in trade and commerce, overcame his adversities in a great measure if he had confidence in the future. The man who, when he failed, felt that he could not again retrieve his fortune, was very likely not to be of much service to himself or to the community at large. There was no way more certain to prevent a man failing in heart as well as in pocket than by preserving to him and his family a certain amount of property which could not be taken from him by his creditors. By the provisions of this Bill, everyone living in a town, or village, or city, would retain possession of his domicile, and every one living in a rural district would hold real property to the extent of eighty acres and to the value of four thousand dollars; if its value exceeded four thousand dollars, so much of it could be sold as might be disposed of to reduce the estate to that value. The Bill also provided, that upon the death of the husband, the wife shall have a life interest in the homestead. Upon the death of husband and wife, the children shall have the right to keep the homestead until they attained their majority, if any of them were under twenty-one

years. It also provided that, in the case where the husband died intestate, the wife might choose between retaining her life interest in the homestead and the estate to which she would be entitled under the law of inheritance which prevailed in the territory, but she could not retain both. In case there was a will, she could choose between the property devised her and the estate to which she would be entitled by the operation of the law. These were the principal provisions of the Bill, and the necessary schedules were attached to give effect to these provisions.

Mr. PALMER said it appeared to him the hon. the Minister of the Interior had brought before this House a great number of Bills which were experimental. The present Bill was one of that character. Legislation which referred to the Territories ought to be of a very simple character; and with respect to civil rights, which this Bill was intended to regulate, Parliament should legislate as little as possible, leaving the people of that country, until they were in a position to become a Province of this Dominion, to settle their own policy with reference to civil rights, under such laws as they might enact. It was a violation of the spirit of that Act for this Parliament to undertake to deal with civil rights, at all, except where it was absolutely necessary. This Bill was, in his opinion, giving privileges to persons in that Territory which no person, in any part of Canada, had at present. \$4,000 in any part of Canada was a very large sum of money to withdraw from the creditors of every person who lived in the country. That had never been attempted anywhere. Certainly, it was something very new to enable a man to go in debt to the amount of \$4,000, and to put it absolutely beyond the control of the creditors whenever he chose. In fact, that law would cover seven-eighths of all the property of the inhabitants of that country, before it became a Province of the Dominion. A new country like Keewatin would be extremely prosperous, if, before it had sufficient inhabitants to become a Province of this Dominion, seven-eighths

MR. MILLS.

of its inhabitants were possessed of money value to the extent of four thousand dollars. In a new community, land was comparatively low in value. What would represent a small acreage in other parts of the country, would represent a large acreage there. He held that Parliament ought not to determine civil rights of the people of that country in that way. Surely Parliament had enough legislation to do, without these experimental measures. The other evening, they had the experiment of the hon. the Minister of the Interior taking away the whole of the land in the North-West. Now, they had another experiment. It might work very well; but what he claimed was that the people of that country should be left to determine their policy in this respect, when they were in a position to do so. A strong case might be made out for providing for the family, but he thought this did not apply to a new country to the same extent as it did to an old country. Persons who had strength and health, and hands to work, coming into a new country, were not in the same position as men in an old country, where it was impossible to get lands, and often to get employment. Some clauses of the Bill were perfectly impracticable, to say the very least. In section 5, it was provided:

“If the wife has separated from her husband, and lives in adultery with another, then, upon the husband producing a certificate from the Court or Judge having jurisdiction in an action of *crim. con.* of the fact having been proven, the Registrar shall then cancel the wife's name from the register and from the certificate of title; and, after her name is so cancelled, she shall have no estate or interest in such homestead.”

This actually gave the power to take away from the wife the property, by a proceeding to which she was no party whatever. Surely his hon. friend did not intend that such legislation should be adopted. What would be the effect of it? A man quarrelled with his wife, brought an action of *crim. con.*, perhaps, against his own confederate, got the register of his domain cancelled, and the poor wife was defrauded of her right. This would be the result of attempting to

legislate upon civil rights of this important character. Before attempting such legislation, it was necessary to go into the minutæ of the matter, and carefully consider everything. It was impossible to pass a measure of this magnitude with the care absolutely necessary for the purpose of properly carrying it out. He would, therefore, ask his hon. friend to pause; for Parliament had quite enough to do without attempting to try these philosophical experiments in this new territory.

MR. SCHULTZ said he approved of the principles of the Bill, because he felt that, in the varying fortunes of a new country, its pioneers should have all the protection it was possible to legitimately give them. In most cases the immigrant had spent largely of his means in getting his family to his new home, and he had staked everything on this new venture; had, so to speak, "burned his ships." Under these circumstances, it was well that such protection as a homestead exemption law could give should be extended to his family and himself. It was somewhat singular, however, that we should be called upon to legislate about this matter here. It was strange that, seeing that the North-West possessed a Legislative Council, where, presumably, local wants and requirements were understood better than they could be possibly here, that this measure had not originated there. Since, however, it had originated here, he would support the Bill, but felt that the sixth section would need amending by reducing the \$4,000 exemption which it proposed to make. To maintain that amount of exemption would be, he thought, to injure the object sought by the measure, and to offer a premium to dishonesty. If this clause was amended, he would support the Bill.

MR. DAVIES said he was afraid the operation of the Bill would be to prevent settlers obtaining that credit which they required in a new country. One of the strongest arguments against the proposal to bring farmers within the scope of the Bankrupt Act was that they required credit, and could not so readily get it if brought within the provisions of the Act. It was un-

fortunate that so much credit was required, but it was undoubtedly needed in all parts of the country. The operation of the Bill would have a bad effect in preventing settlers in new countries obtaining necessary credit.

MR. McDUGALL (Renfrew) said that, when the law was passed, it would be the duty of the party who gave credit to see that he was protected.

MR. MILLS said that hon. gentlemen would observe that if a settler obtained credit before he had registered his homestead, the registration did not protect him. It did not protect him against prior obligations, but only against those subsequently entered into. If the settler, with the consent of his wife, chose to mortgage the homestead in order to obtain credit, he would have power to do so. Experience was, in some respects, stronger than theory, and the experience of the people of the great majority of the States of the adjoining Republic was favourable to the principle of homestead legislation; indeed, it had, in a great measure, put an end to forced credits, and those who had property or goods to sell did not force them upon those who did not require to purchase them. People purchased only what they required, they were trusted in proportion to their honesty, and men who were very hard up were those who did not promptly fulfil the obligations into which they had entered, and had not endeavoured to do so. Immigrants attached great importance to that principle, and agents of the American or State Governments or of American railway companies endeavour to turn away emigrants from proceeding to Canada by pointing to the liberal homestead law of the United States, by which the property of a settler was protected against the sharp practice of those who sought to take advantage of his inexperience. By adopting the present Bill, the Dominion would be placed in as favourable a position as the United States in that particular, and be, thereby, in a better position than hitherto to compete successfully for immigrants. He differed from the opinion expressed by the hon. member

for Lisgar (Mr. Schultz), that there was no reason why the Dominion Parliament should have legislated on the subject. The powers given to the Government of the North-West did not include that of dealing with real estate. As they were reserving the power to legislate upon the whole subject of real property, in consequence of Parliament having superior facilities through the library for ascertaining what was the actual condition of the law in other countries, it was considered desirable to establish a system of real property, and, afterwards, give the North-West Government power to amend or change it, as experience might suggest.

MR. KIRKPATRICK said he thought the object the Bill had in view, namely, the creation of some sort of homestead exemption in the North-West, was a very proper one, and one which had been beneficially carried out in the Western States, and afforded great inducements to immigrants to go into the country. He was surprised, however, to find at the end of the Bill, a clause setting forth that the Act could be amended or repealed by an Act, or Ordinance passed by any authority having power to make laws touching property and civil rights in the North-West. What was the use of Parliament legislating, if its Acts could be changed by the creatures of the Government,—by the Lieutenant-Governor of the North-West and his Council, to whom the Bill gave that power, notwithstanding the arguments of the hon. the Minister of Interior, that the Council of the North-West had not been given the power to deal with real estate. That Council was given power to deal with property and civil rights. What did that mean, if it did not mean real property? The power given to Provincial Legislatures, under the British North America Act, to deal with real estates, was conferred in the same words; and, therefore, he failed to understand why the North-West Council would not have equal power to deal with real estate as that possessed by the Local Legislatures. He agreed with the hon. member for St. John (Mr. Palmer), that the subject

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would be more beneficially dealt with by the Council which had been given power to pass ordinances, and to which they reserved the right of amending or even repealing the Act. The Bill assumed to deal with homestead exemptions; but they were confined entirely to land, and no exemption was made of personal property. That was a material point to be considered, for what was the use of a settler having a homestead, if all his personal property could be sold by an execution? In all the old Provinces, and in Manitoba, a certain amount of personal property was exempted, and that was what would be first seized by harsh creditors. The value of land exempted, \$4,000, was too high.

MR. ROBINSON said he approved of the principle of the Bill, which might, with advantage, be extended to all the Provinces of the Dominion. The principle was not only in force in some of the Western States, but also in the older States of the American Union. The exemption to the extent of \$4,000 on property was excessive, as he would endeavour to show to the House. The exemption, moreover, should be distributed over both real and personal property. The exemptions in the States of the Union were as follows: Maine, \$500 real property; New Hampshire and Vermont, the same amount; Massachusetts, \$800 real property; Rhode Island, \$200, real property; Connecticut, personal property specified; New York, homestead exemption to amount of \$1,000; New Jersey, \$1,000; Pennsylvania, certain things defined, but neither personal property amounting to a certain sum, nor real property were exempted; Maryland, \$100, personal property; North and South Carolina, the same; Georgia, \$200, real property; Alabama, \$400, real property; Florida, \$300; Mississippi, \$4,000, real property; Louisiana, \$1,000, real property; Tennessee, certain things specified; Illinois, \$1,000, real property; Indiana, \$300, real property; Ohio, \$500, real property; Missouri, \$1,500, real property; Michigan, \$1,500; Arkansas, certain things as defined; Texas, \$2,000, real property; Iowa, \$500, real property; Wisconsin, 40 acres and a

house, without specifying any sum; California, \$5,000, real property; Minnesota, \$1,200, real property, and a homestead of 80 acres; Oregon, about the same; Kansas, \$1,000, real property, not exceeding 160 acres; Nebraska, 160 acres; Washington Territory, \$500, real property; Nevada, \$500. He suggested that the provision in the ninth clause respecting registration of property for the children to remain in possession of the homestead in event of the death of both parents, should be modified. He thought that it was an excellent Bill; and he was backed up in his assertion by the experience of settlers in the Western States. He was very glad to see it introduced.

MR. IRVING said he would not waste words in speaking in detail of the principles of the Bill, which had been received in the House with such general favour. Rather than ask the hon. the Minister of the Interior not to go on with the Bill, he should encourage the hon. gentleman to proceed with it, and point out a more liberal principle which should be extended to it. With reference to the idea that \$4,000 was too high a sum in value to save from exemption, he would say that no argument, to his mind, could be used in that direction regarding the Bill as at present framed, because this amount was either secured from the accretions of the settler or person who registered, which he had acquired in the country himself, or means which he had taken there, and which was unembarrassed capital, because the Bill proposed to make this homestead exemption sacred not as against previously incurred debts. If his reading of the clause was correct, he thought that the Bill failed in this particular, because it appeared to him that settlers going into that distant country should feel that they had shaken the mud off their shoes, and gone into it free from any harassing debts, to which they had been exposed in the older Provinces. Men often went from this country to the United States to avoid those debts. The whole course of the legislation in Ontario for the entire period concerning which he could remember, had been legislation in favour of the creditor as against the poor debtor; and there

had been no idea which the minds of legislators had been able to formulate into an Act of Parliament, which had not been more acted upon, either by way of judgment summonses, by executions, by exemptions or garnishee processes which were intended, in every possible way, to help the creditor as against the poor debtor. With reference to the property that was exempted from seizure in Ontario, it was so little that it was of little consequence, whatever, except to the poorest labourer and the man who hardly earned enough in a week to support his family for that period. It was hardly any protection to a man, save to one of that class; and, with respect to a new country, he held that they should encourage these people to go there, without any anxiety, whatever; as to the debts—at all events, to a certain amount—which they had left behind them; because, otherwise, it would be putting a premium on exportation and to going to the United States as against going to our own country; because, otherwise, they could not get out of the debts from which they wished to free themselves. Concerning the argument with regard to the credit system, if this protection was given the settler, no man would give him credit unless he had some security or knew that he could get it, or he trusted such a man owing to his character. At the present time, in an old Province like Ontario, a man could get credit for a very small sum, and so, in the same way, the creditor in the North-West would be on his guard and would allow no debt to be incurred unless he had some kind of security, either in regard to a man's character or some pledge; and it was by no means desirable to encourage in that country the introduction of a promiscuous credit system. The marriage settlement system, which was very much in vogue in England and in Ontario, and probably in the other Provinces, was practically homestead exemption. The cases were very extraordinary, indeed, in which any marriage settlement should be interfered with. This was constantly observed. Nothing could be more important to them than to apply somewhat the same theory to those persons

who chose to go into that country; and when they did so, and took their families with them, for the consideration of going out as pioneers into this wilderness, they should take care to make secure the refuge of these people and to make it a country in which, at all events, the bailiffs and sheriffs from the older Provinces should not be able to pursue them. With regard to the sum of \$4,000, it might be fairly argued that, for a pre-existing debt, this might not be fair. That detail, in Committee, perhaps, might be well considered, but he should think it a very great improvement to the Bill if some consideration should be given to the idea that settlers going there should not be harassed with debts, under a certain amount, at all events; and further, if it was within their jurisdiction, as he believed was the case, they should also, up to a certain amount, protect personal property in addition to real property. If these improvements—if they were improvements—could be added, the Bill would have his hearty approval, and he was certain that in no part of Canada among the older Provinces of which he had any knowledge, would the Bill, in that event, be known or heard of, without the hon. mover receiving hearty credit for having introduced it.

MR. SMITH (Selkirk) said that, at the present time, there was a homestead law in Manitoba, by which the farm and effects, to a certain extent, of the settler, were protected. He thought it was only proper that this provision should be extended to the North-West Territories. Still, there ought to be a limit, which should be somewhat under the figure placed by the hon. the Minister of Interior in this Bill. The sum of \$4,000 was quite too much; one-half of this sum would be sufficient for the farm or homestead, besides, perhaps, not more than \$500 for personal effects. He should be very sorry, indeed, to see extended to the North-West Territories, or to any portion of the West, the proposition of the hon. member for Hamilton, to the effect that any settler going there should be exempted from paying any debts contracted in the other Provinces of the Dominion, or

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elsewhere. He thought that this would simply be a premium on dishonesty; and, they would then have the North-West filled up with the idle and the indolent, and the class which was so very fond of their neighbours. That there should be a Homestead Bill was very proper. He remembered that when the Homestead Bill of Manitoba was enacted, in 1871, it contained a clause which exempted every person within the Province from the payment of all debts, whatsoever, that had been contracted elsewhere, for seven years. This, of course, was equal to freeing such persons from their liabilities altogether. However, the people of Manitoba saw the great mistake that had been made, and, at the next Session of the Legislature, this provision was altered, so that, as the law now stood, the homestead was exempted, and their effects, to a certain extent. That this should be so, in the North-West, was very proper; but he trusted that the hon. the Minister of the Interior would see that he would meet the case fully and sufficiently by reducing the amount to something like \$2,000, with a very moderate sum for personal property.

MR. DESJARDINS said he believed that there was but one opinion in the House with regard to the fact that it was desirable to confer upon those who went to establish themselves in the North-West Territories sufficient protection to remain there, and to make it in such a manner that their settlement would not be troubled, from the moment they arrived, by suits that might be entered against them by their creditors in the older Provinces, and thus destroying every chance for them to create an establishment for their family. But he could not agree with his hon. friend the member for Hamilton (Mr. Irving) in the opinion that the man should have the right to leave the older Provinces, and, by establishing himself in the North-West, free himself from all his debts; such a provision would enable debtors to go there and set at defiance those who, before their departure, had become their creditors. He also believed that the exemption limit which was indicated in this Bill was too high;



as would be seen if it was compared with the present condition of wealth in this country. To be worth \$4,000 in the Province of Quebec, as well as in other old Provinces, was to have already attained to a position of competence, and if this was permitted to colonists who went to establish themselves in the North-West Territories, in the vicinity of railways, for instance, which were to be built, and in the villages which were to grow up there, would it not happen that many people, especially in such a condition of affairs as the present one, would be tempted to realize immediately on what they possessed, bid good-day to their creditors, and go up there where they would secure some magnificent properties, advantageously located, construct buildings to enable them to live there in comfort, and then taking advantage of clause 6th, which says "If any creditor, etc., is of opinion that the homestead is of greater value than \$4,000, such owner, with the written consent of his wife, may agree upon a value with such creditor, and upon the portion of the homestead which shall represent the excess of such value over \$4,000 and in case of such agreement such proportion only shall be sold in satisfaction as aforesaid;" add wealth to comfort by means of some supposed creditor with whom he could come to an understanding, make a valuation of the effects, as to what the property in question might be worth above \$4,000, and secure a sort of mock sale or mortgage upon it by means of which he could prevent payments being made to the other creditors. So that this individual would always have the means, when his property was worth over \$4,000, to have a considerable surplus, and thus place at defiance his other creditors, who could never touch him. He believed that this provision went beyond the limit of protection which such settlers had a right to expect from this Parliament. It seemed to him that, if they assured to the settler the extent of land which would be strictly necessary in order to enable him to live as in the Provinces, this would be amply sufficient. This was already done, to some extent, in the Province of Quebec; and the moment that they

assured to the debtor the exemption from seizure of such effects as were strictly necessary for his house, and such tools and instruments of labour, as well as horses and cattle as were absolutely necessary to carry on the farm, it appeared to him that they had gone in this direction as far as settlers could reasonably expect. Otherwise a premium would be offered to the debtor to act dishonestly; and that was to say to the people: "We have spent millions to provide for you a new territory and railways, towns and villages and magnificent and fertile lands; but that is not all, realize all you can on your property to the detriment of your creditors; go up to this country where property can, by law, be exempted from seizure to the extent of \$2,000, \$3,000 or \$4,000, and live there tranquilly and peacefully while even the creditors whom you leave behind you will be ruined by your flight; nevertheless, from the moment that you reach that country, you will be freed from all inconvenience in this respect; you will not be there even a dishonest debtor, the moment that you enter this territory and announce that you intend to become a settler in it." Unless they took this indirect means to completely destroy the credit system in the country, as proposed by his hon. friend (Mr. Wallace), this should not be done. He believed that this Bill went beyond the end which the hon. the Minister of the Interior proposed to attain by it; that was to say: the hon. gentleman only intended to afford the reasonable facilities and encouragement and protection which the settler could reasonably expect from the Government in order to encourage immigration into and the colonization of these territories. For his part, he believed that, before they adopted this Bill, it was certainly requisite to modify it in this relation, in order to protect creditors in the older Provinces and prevent encouragement being extended to dishonest debtors to free themselves from their liabilities, rather than honestly aid in the colonization of this portion of the Dominion.

MR. WALLACE said he was pleased to be able to congratulate the Govern-

ment for having brought in this Bill. He heartily approved of its principle, but he could not agree with his hon. friend from Hamilton, who wanted to make it so universal that if a person stole money or goods from his creditors and went to the North-West, he should there be protected from prosecution. He did not think that this would be at all right; and he hoped that the Government would not accept the suggestion and amend the Bill in that way. Neither could he agree with his hon. friend from St. John, who said that it would be taking the rights away from creditors, because it did not do any such thing. It guarded creditors with respect to credit given before the registration of this property was made; and, therefore, it did not at all interfere with the rights of creditors. The latter were aware of this fact, and they need not afterwards trust them. Above all, he approved of the Bill because it was a step towards the abolition of credit. He believed that there was no greater curse in the world today than debt which was the result of credit; and, for this reason, he was pleased to be able to congratulate the Government on the introduction of this measure.

MR. BLANCHET said that he fully concurred with the views expressed by the hon. member for Hochelaga (Mr. Desjardins). The homestead laws were favourable to the settler, but the exemptions should not be beyond certain limits. In the Province of Quebec, a homestead law was passed some years ago. This law exempted from seizure certain articles, such, for instance, as tools, which were necessary to the labourer for his work, in order to gain his livelihood, and also certain articles of furniture, food and fuel, what was necessary to secure subsistence to his family during his sickness and inability to obtain employment. This law was found to be perfectly sufficient to protect the workingman and settler, and it also did not prevent him from being able sometimes to obtain the credit which the workingman required from the merchants. If the exemption provisions were too severe, as they were

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in the Bill introduced by the hon. the Minister of Interior, the settler could obtain no credit, and he would find himself, in a great number of cases, deprived of necessaries and the means of gaining his livelihood, and also of the means of improving his land and property. These provisions went to the extent of exempting from seizure landed property of the area of 80 acres, and also certain part of property held in towns; and the settler, under these circumstances, could not obtain the capital necessary to carry on his agricultural operations and improve his land if a part of his property and farm was exempt from seizure. No capitalist would advance the capital and means requisite to improve such property if a sufficient guarantee of repayment were wanting. He believed that, in principle, this law was no doubt good; but, in its details, it went too far and was too strict, and, consequently, he was of opinion that the hon. the Minister of the Interior would not thus attain the end he had in view. Hence, he hoped—while he supported the Bill with respect to its general principle—that the hon. gentleman would alter and improve this measure in order to render it more workable and practicable, and while it would guarantee to the merchant and capitalist the payment of the effects and money advanced, necessary to sustain the settler and enable him to improve his land and carry on his agricultural operations, it would, at the same time, be a sufficient protection for him.

MR. LANGEVIN said he knew it was very popular to admit the principle that, in new countries such as the North-West Territories, homestead exemption should be introduced for the benefit of the people, so that a settler's wife and children might have something to fall back upon when they got into difficulties. In the Province of Quebec, this matter had been under consideration for some years, and the conclusion which the Legislature came to was that they should exempt a certain number of articles, such as the instruments or tools with which a mechanic, a labourer, a surveyor or a professional man earned his living, also

certain articles of furniture. But they had not gone so far as to exempt homesteads valued at \$4,000 from seizure after registration of the title. He thought \$4,000 was an excessive value to put upon homesteads in a new country, because such an exemption would not benefit a settler. It would certainly prevent him, as his hon. friend from South Norfolk had said, from obtaining credit. Settlers in a new territory like the North-West could not be expected to be very flush of money, and required to borrow in order to improve their land. Such a law might answer very well for a settled country, where people had means and were prosperous, but it would not answer for a new territory. When a person went to borrow money the lender, under usual circumstances, would say, "Well, this individual wishes to improve his condition. He has instruments to earn his living, but he wants a little money to build a house or improve his land; he is not a man that wants to run away." But if the money-lender knew that this man had taken care to put everything under registration, what would be the consequence? He would say, "I cannot lend you money." If a man found himself in difficulties, he would say to his wife, "I cannot get along, we must mortgage the land, otherwise we will not have the money to improve the property we possess." The result would be that the land would be mortgaged and perhaps sold afterwards, so that the law would be rendered inoperative. The land was sold by the Government, he believed, at a dollar an acre, and it would take a long time before a homestead increased in value to \$4,000. It would be well to specify the value as well as the number of acres, because, while 160 acres of land at Winnipeg may be very valuable, 160 acres a hundred miles off may not be worth much. No doubt the hon. the Minister of the Interior had brought forward this Bill for the benefit of settlers in the North-West Provinces, but settlers would not be benefitted by such an Act. Besides, it defeated the very object it had in view, if it allows a man to mortgage his property.

Mr. McCARTHY said he had pleasure in adding his congratulations to

those which had fallen from hon. gentlemen on the same side of the House in favour of the Minister of the Interior for introducing this measure, the principle of which he (Mr. McCarthy) most heartily approved. The discussion the Bill had undergone, and would undergo, would enable the hon. gentleman to improve it still further. At this stage, he (Mr. McCarthy) objected to one matter of detail. Why should the number of acres be limited to 80? The value of land in the North-West settlements at the present time would probably be about \$1 per acre, and it would take a very long time before the value of a piece of land of 80 acres would reach \$4,000. Such a small quantity of land was perfectly absurd, because it would not meet the requirements of an ordinary farmer. So far as his voice went he would like the law altered to that of Manitoba, so that each claim should consist of 160 acres. The law was intended as a protection to poor settlers, but a man worth \$4,000, and free of all obligations, could hardly be considered as one who required such protection. That, he thought, was a matter which should be considered in Committee. There ought, he considered, to be some provision by which the owner of a piece of land might, with the consent of his wife and children, make application to have the exemption cancelled as far as his property was concerned, so that he might be able to make improvements, or make up for losses by fire or bad crops. He would add his voice to the opinion so universally expressed on that side of the House, that personal property should be secured.

MR. MILLS: That can be done by local legislation.

MR. McCARTHY: Then we can do nothing in reference to that. He would suggest that there should be some definition of the word "occupied," which occurred in the second clause of the Bill. There it was stated that the exemption was only to last so long as the owner of the land or his wife and children occupied it. If a person was absent from his property one, six or eight months, would he be considered as being in the occupation of the land or not? Clause 5, which referred to

the disposal of property after the decease of the owner, would also require the attention of the Committee.

MR. WHITE (North Renfrew) said the principal objection urged against this Bill, which seemed to commend itself to both sides of the House, was the amount fixed as the limit of exemption. It appeared to him the intention of the Minister of the Interior, in exempting portions of land in the rural districts, from seizure, was that some means of support should be guaranteed and secured for a settler, his wife and family. No doubt some improvement might be made in the Bill in this particular. Its principal object was to encourage immigration into these territories, but it seemed to him that serious exception might be taken to the 13th clause. In that clause it was provided that:

“This Act may be amended or repealed by any Act or Ordinance Law fully passed by any authority having power to make laws touching property and civil rights in the place where such amendment or appeal is intended to take effect.”

It seemed to him that the law, when passed, should be conclusive—that it should not be set aside by any other authority. He thought that when persons took land and registered it, they should be assured that no law would be passed which would take away their rights. That was his principal objection to the Bill; but he also objected to the 9th clause, which provided that minors shall be required to register their claims within six months after the death of their parents. In many cases it would be almost impossible to adhere to the general principle of the Bill, and he thought the clause should be amended. With those objections remedied, he thought the measure was one that might very fairly become law.

MR. PLUMB said it was certainly pleasing to hear such general assent given to the principles of the Bill. Nothing could be better adapted for the encouragement of settlers in a new country than some provision of this kind, for a man would then be assured that, notwithstanding what misfortune overtook him, he would still have something left wherewith to

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maintain his wife and family. There were, however, one or two matters which he thought should be considered in the course of the discussion on the Bill, and, as they would doubtless suggest themselves to other hon. gentlemen, he would not now refer to them at length. It occurred to him that some definite provision, independent of outside legislation, should be made for the protection of a certain amount of the settler's personal property. It would be right, for instance, not only to exempt a man's house, but also some furniture and farming implements. He did not think it would be desirable to encourage immigration in the way suggested by his friend the hon. member for Hamilton, usually so sound and Conservative in his views, because it would scarcely be right to make these new Territories, cities of refuge for people who wished to evade the payment of debts incurred elsewhere. It was almost a pity that property of this kind should not be absolutely exempt from change. There might be reasons why it should be possible for a husband, with the consent of his wife, to mortgage his property; but it was a dangerous power to put in his hands. Cases of necessity might arise where that would require to be done, but under the present condition of things, a woman was altogether under her husband's control. Possibly, when the rights of women were established, they might be able to stand up and be independent; in the meantime, a husband might virtually do what he pleased. It had been found in many cases where marriage settlements depended on the action of the wife, that, when the husband became involved, he got the trust into his own hands. He would, therefore, ask the Minister of the Interior—who seemed desirous to benefit the wives and families of settlers—to consider whether something could not be done to obviate this objection regarding mortgages. He thought also that the provision inserted in the 6th section, for the benefit of a settler's wife, to the effect that her authority should be given for the withdrawal of the proceeds of their farm from a Government Savings Bank, should be adopted for the benefit of minors also.

Considerations were constantly cropping up in connection with the Bill in order to secure the proper carrying out of what was intended. Undoubtedly, it was very difficult to provide for a family of helpless children, but he hoped, whatever contingency might arise, the property of their parents might be protected for them. He trusted also, that the Bill, if passed, would not be permanent, and that no property, after being registered according to the conditions of the Act, could be interfered with for a good number of years at least. There had been no differences of opinion as to the principle of the Bill, which, indeed, had met with the unanimous approval of the House, and it seemed to him that it should not be affected to any appreciable extent by local legislation hereafter. He agreed with the Minister of the Interior in thinking that no Bill could be better adapted to encourage immigration to the North-West Territories than this one, and he thought the question as to its permanence deserved consideration. It ought, at least, to be enforced for 21 years, so that it would cover the period between infancy and that of majority and responsibility in the life of a person born there. No better security could be given to hard-working settlers in the North-West than the protection of their land, and he hoped that this Bill would have the effect of peopling that great district, the development of whose resources would add to the wealth and prosperity of Canada.

MR. MITCHELL said he merely wished to state that he entire endorsed the principle contained in the Bill.

Bill read *the second time*.

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

### After Recess.

#### PRIVATE BILLS.

##### THIRD READINGS.

The following Bills were read *the third time* and passed:

Bill (No. 31) To amend the Act incorporating the Sydenham Harbour Company.—(Mr. Gibbs.)

Bill (No. 49) To incorporate the Regular Baptist Foreign Missionary Society of Ontario and Quebec.—(Mr. Wood.)

##### SECOND READINGS.

The following Bill was read *the second time*:

Bill (No. 54) To incorporate the Fishwick Express and Merchants' Forwarding Company (Limited).

#### GEORGE F. JOHNSTON DIVORCE BILL.

[BILL No. 59.]

(Mr. Fraser.)

##### SECOND READING.

MR. FRASER moved the second reading of the Bill.

Motion agreed to on the following division:

##### YEAS:

##### Messieurs

Archibald,	Macdougall (East
Bain,	Elgin),
Bertram,	McDougall (South Ren-
Blackburn,	frew),
Blain,	MacKay (Cape Breton),
Bowell,	McKay (Colchester),
Bowman,	Mackenzie,
Brouse,	Macmillan,
Buell,	McCallum,
Burk,	McCarthy,
Burpee (Sunbury),	McCraney,
Carmichael,	Metcalfe,
Cartwright,	Mills,
Charlton,	Monteith,
Christie,	Norris,
Church,	Oliver,
Cockburn,	Orton,
Coffin,	Paterson,
Cook,	Pettes,
Davies,	Pickard,
DeCosmos,	Pope (Queen's, P.E.I.)
Dymond,	Robinson,
Farrow,	Rochester,
Ferris,	Ross (East Durham),
Fleming,	Ross (Prince Edward),
Flesher,	Rymal,
Fraser,	Scatcherd,
Galbraith,	Schultz,
Gibbs (Ontario North),	Scriver,
Goudge,	Shibley,
Greenway,	Sinclair,
Guthrie,	Smith (Westmoreland),
Hagar,	Thompson (Cariboo),
Hall,	Thompson (Haldi-
Horton,	mand),
Kirk,	Trow,
Kirkpatrick,	Wallace (Albert),
Landerkin,	White (East Hastings),
Little,	Wood,
Macdonald (Kingston),	Young.—78.
Macdonald (Centre	Toronto),

## NAYS :

## Messieurs

Barthe,	Gill,
Bécharde,	Holton,
Benoit,	Huntington,
Bernier,	Hurteau,
Blanchet,	Irving,
Bolduc,	Jetté,
Bourassa,	Lafamme,
Bourbeau,	Lajoie,
Brooks,	Langevin,
Brown,	Lanthier,
Bunster,	Macdonald (Cornwall),
Caron,	McDonald (Cape
Casgrain,	Breton),
Cheval,	McIntyre,
Cimon,	McIsaac,
Costigan,	Malouin,
Coupal,	Masson,
Delorme,	Montplaisir,
Desjardins,	Mousseau,
De St. Georges,	Pinsonneault,
Devlin,	Robillard,
Domville,	Robitaille,
Dugas,	Short,
Fiset,	Stephenson,
Flynn,	Taschereau,
Forbes,	Wade.—51.

Bill read the second time.

## HUGH HUNTER DIVORCE BILL.—

[Bill No. 58.]

(Mr. McCarthy.)

## SECOND READING.

MR. McCARTHY moved the second reading of the Bill.

Motion agreed to on the same division as on the last Bill.

Bill read the second time.

## HOMESTEAD EXEMPTION BILL.

[Bill No. 44.]

(Mr. Mills.)

## CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole on said Bill.

(In the Committee.)

MR. LANGEVIN said he thought the first clause should be amended so as to read: "May register as a homestead an extent of such land not exceeding one hundred and sixty acres" instead of eighty acres, as it would be a great advantage to the owner in case he should need a large sum of money on mortgage to carry out improvements.

MR. MILLS said there was nothing in it to prevent a man holding 500

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acres. The homestead law was not a limitation of property to be holden, but merely a limitation of the right of creditors to take this property for debt. The Bill provided that, if a man had eighty acres of land, he might register the whole as a homestead; if he had more than eighty acres, he indicated by description the eighty acres he wished to register as a homestead.

MR. LANGEVIN said that, if the homestead was taken to be eighty acres only, the value should be reduced from \$4,000 to \$2,000. Several persons from that region had informed him that \$1,000 would be quite sufficient. The hon. gentleman should allow a larger quantity of land to be registered as the homestead. By the Bill, as at present, if a man had a farm of over 160 acres, he would have to go to the expense of a survey for the purpose of dividing his homestead from it.

MR. MILLS said he did not think the hon. gentleman's suggestion would improve the Bill.

MR. BOWELL said he did not understand why the number of acres should be restricted. In a town or village a lot might be held worth the full value of \$4,000. But a homestead of eighty acres might be worth only \$200. While, therefore, the holder of a lot in a town or village might be enabled to avail himself of the Homestead Act to its full extent, \$4,000, the farmer was restricted to his eighty acres, worth probably not over a couple of hundred dollars. The amount of \$4,000 was altogether too high, unless it was intended to prevent the collection of debts of any kind. There was such an universal opinion in favour of the principle of the Bill it would be almost heterodox to express a contrary opinion; and, in any case, the principle had been affirmed. But he did not see why the amount of \$4,000 should not extend to the farmer in a rural section, as well as to the proprietor in the town.

MR. MILLS: So it does.

MR. BOWELL said that, nevertheless, the farmer could only homestead eighty acres, which might not be worth over \$200; if he acquired another

eighty acres alongside the first lot, he could not homestead it. Yet the man who could afford to put a valuable dwelling and outhouses on the adjoining lot could avail himself to the full extent of the provisions of the Bill. If it required 500 acres to amount to the full value of \$4,000, the man who owned that land should be allowed to homestead it.

MR. MILLS said there was no distinction made between the rural and urban population. A man might own a lot of very little value in a town or village. The principle was that he should have the lot upon which his house stood. There was a provision for the transfer of property by the registration of titles. The sale of property was made by the agreement of the party. The title was a certificate granted by the registrar. The homestead was registered by the endorsement upon the certificate in the possession of the proprietor, and the certificate retained in the office. That was the manner in which the registration took place. If a man had a certificate for half-a-dozen lots, merely because they did not exceed a certain maximum, it would be a highly improper proceeding to provide that he should register all these as a homestead. There was no doubt the value of real estate in the first instance would be very much below the maximum sum fixed in the Bill. If the Bill simply indicated the value of the property the time it was taken possession of, it would never secure the homestead. The very moment a proprietor undertook to improve his property, he would take it out of the provisions of the Bill. He could not retain it, because it could be sold as having a greater value than the homestead. What was desired to be fixed in the Bill as a maximum was what would be a fair average value of eighty acres or lots occupied by an agriculturist or by a person with a fair residence in a town or village. If the maximum value of the homestead were fixed very low, that low value would stand in the way of improvement. The owner might argue that if he made improvements, it would in-

crease its value, and make it insecure, and, therefore, he would not make the improvements. This would not be a desirable result. One of the objects of a Homestead Law should be to induce every person to make his home as elegant and comfortable as possible. A very low valuation would tend to defeat that object.

MR. BOWELL said the Minister of the Interior had mistaken the question altogether. The point he desired explained was this: Why should there be any distinction between one homestead and another; why should a farmer, if he was to be entitled under the second section to hold property to the value of \$4,000 as a homestead, be restricted to eighty acres of land. The words "eighty acres" should be struck out of the first clause, and substitute "not exceeding the value of—" whatever the maximum might be. The legislation seemed to him to be exclusively in favour of those who could afford to spend \$4,000 in the construction of houses and personal property. He thought \$4,000 was far too high, unless it was intended to lay down the principle of the abolition of the collection of debts altogether.

MR. BOWELL moved that \$4,000 be struck out and \$2,000 inserted.

MR. MILLS said he had no objection to that. He had already indicated to the House that he was prepared to substitute \$2,000 for \$4,000 in the Bill.

MR. POPE (Compton) said, before a man could get any credit, he would have to own property over and above this large sum. They were actually going to deprive a settler of any assistance until he got a sum above the amount put in the Bill. Probably not one-half the people of the country had homesteads of greater value than \$1,000.

MR. MILLS said the principle to which the hon. member for North Hastings (Mr. Bowell) had taken exception, provided against the difficulty. In every case, \$2,000 would cover the whole of the real estate. This Bill provided that, so long as the value did not come up to \$2,000, that eighty acres should be the maximum

average. 160 acres were given as a homestead, with permission to obtain 160 more at \$1 per acre; but only 80 acres were allowed to be registered as the homestead, and exempted under the Bill. The balance could be seized for debt, so that the difficulty mentioned was met by this provision.

MR. KIRKPATRICK said this was legislating in favour of people living in cities against those in the country. Generally speaking, persons living in the country would have quarter sections of 160 acres, which would not be worth \$4,000 or \$2,000 for many years to come.

MR. MILLS: But in the villages the lands would.

MR. KIRKPATRICK said that, therefore, while a person in the country could only have half his property exempt from seizure, the person who lived in a village or town would have the whole of his property exempt to that amount. It would be much better to exempt the full 160 acres in the country, provided the value did not exceed \$2,000. He took another exception to this second clause. Sub-section three of this clause appeared to him to give, virtually, to the wife the ownership of the property. This was contrary to all the legislation of other countries, and of these Provinces. The wife had her rights, she had her dower, but was not made equal owner with the husband. The privileges against these homesteads were, 1, debts due to the Crown for purchase money; 2, taxes due; 3, mortgage debts, but not unless the wife had joined in the mortgage. If she had not joined in the mortgage she would have her dower, but here the mortgage was null and void unless she had joined in it. It was, therefore, put in the power of the wife to refuse to allow the husband to exercise any ownership over his property; not only that, but supposing the wife had disentitled herself to the dower, no exception was made.

MR. PLUMB said he thought that if this property was at all permitted to be alienated by the head of the family, after being appropriated for the benefit of the wife and children, it struck at

MR. MILLS.

the essential essence of the Bill. The whole system which had reference to the mortgaging of this property, was a vicious one. If this was a mere voluntary provision, repealable at the will of the person who made it, it would be better not to have it at all, and not to make homestead exemptions. If this property could be alienated, what was the use of this exemption? It was intended to prevent suffering from misfortune and improvidence, and the squandering of the estate, and the children or wife from being subject to the weakness of the husband, at any time, and the evil effect of any bad bargains which the latter might make. It was a permanent settlement or nothing. He could understand how, under certain circumstances, it might be desirable to part with the occupancy of property which it would be desirable to rent; but, he could not understand why a proposition should be made to deprive the family of the advantage which the hon. the Minister of the Interior had taken so much pains and labour to guard in this Bill, which, as to its whole scope, was intended to protect the interest of the family. This provision struck at the root of the Bill. What was the use of homestead exemption, if the property could be so dealt with? If the hon. gentleman did not want to change this clause, let him do away with the Bill, and say no more about it.

MR. BUNSTER said that, while this was a step in the right direction, he considered it did not go far enough. Instead of reducing the amount from \$4,000 to \$2,000, the value of the property exempted should be increased. This was the first time that he had been able to compliment the Government on having taken into consideration the poor men of the Dominion; but an injustice was done in not applying these provisions to British Columbia. In the United States, they had homesteads of 160 acres for each family, and also a chat-tel homestead, securing so much wheat and grain to the family, thus giving confidence to the farmer's partner, namely his wife, in ensuring for her a home that would be of considerable



assistance to herself and children, even if her husband should die. In place of \$4,000 in value, 160 acres of land should be exempted. This was done in the United States, where to-day there were plenty of good and happy homes which the Sheriff or anybody else could not take from these families. He hoped that the hon. gentleman (Mr. Mills) would give the Bill a little further consideration, and make the amendment he suggested. British Columbia was unfortunately left out of the Bill.

MR. TROW: The hon. gentleman will remember that, in British Columbia, \$2,500 in property, and \$500 in chattels, are exempted.

MR. BUNSTER said that this was the local law; but why should not the Dominion law also apply to that Province, where they courted immigration. He was glad that they had a seventh member (Mr. Trow) for British Columbia. A sixth had, yesterday, been elected, and this gentleman would, he was satisfied, worthily represent the interests of the Province. If they only obtained reasonable justice, which their resources merited, his Province would, in time, have as many representatives as Ontario. If the Canadian Pacific Railway were built, and hon. gentlemen took a trip over to his Province, they would never come back again, owing to the beauty of their climate, though the Province was called an inhospitable country, and described as being a sea of mountains. This was the first time that a good Bill had been brought down by the Government, and still it was not made to apply to British Columbia.

MR. CARTWRIGHT said if he might venture on a suggestion in this matter, he was inclined to think that his hon. friend (Mr. Mills) would find the object he had in view better obtained by dropping the 3rd subsection altogether. Hon. gentlemen acquainted with the position in which new settlers found themselves, would, he thought, be disposed to agree with him that the power of allowing a man to mortgage his homestead would, to a very great extent, defeat the whole purpose of his hon. friend's Bill. It was, perhaps, not altogether unworthy

of consideration, that, in a great number of cases, the wife's consent might be obtained through harsh treatment, if she happened to entertain a different opinion from her husband on the subject. On the whole, he was inclined to suggest that this particular clause should be omitted. If the family believed their interests could be better served by alienating the property, they appeared to have that power. He thought that this other provision was quite sufficient, and, far less likely to be exercised against the wife than would be the power to mortgage, which might expose the wife to undue pressure.

SIR JOHN A. MACDONALD said that, of course, the Opposition had no objection to the Finance Minister expressing a vote of want of confidence against the policy of the Minister of the Interior. It was none of their funeral.

MR. MILLS: You have had as many funerals.

SIR JOHN A. MACDONALD said they were very glad to see the beginning of disintegration from within as well as that they were victorious from without. There was no doubt about that. There was a good deal in what the hon. the Finance Minister had said. It was doing away with the effect of the Bill in giving the husband power to mortgage the estate, and if he quarrelled with his wife, he could get rid of her and the property too. Lord Elgin had said, with respect to marriage settlements—that they were of no use, as wives were always either kissed out of them or kicked out of them. In some way or other, husbands got rid of the property if they wished to do so.

MR. MILLS said he had no objection to the clause mentioned being struck out. The only ground for inserting it was in case the husband and wife might wish to provide for one of the family and desired to pledge the homestead estate in order to raise the means.

MR. MASSON: It is very unfortunate that the hon. the Minister of Finance did not make use of that argument with regard to the provision of the Bill of the hon. member

for North York (Mr. Dymond) allowing wives to be sworn in cases where their husbands were concerned.

MR. BOWELL: Schoolmasters abroad.

MR. FLESHER said that the clause seemed ambiguous. In the second clause, minor children were mentioned, and in this case the term appeared to refer merely to younger in contra-distinction to older children.

MR. POPE (Compton): The hon. gentleman will see that the provision he makes against a party being deprived of his credit, until he gets this large sum accumulated, is done away with.

MR. MILLS: Not at all.

MR. POPE: You cannot raise it on the property.

MR. POPE: Not upon the 80 acres, but on the remainder of the property.

SIR JOHN A. MACDONALD: Suppose he has only 80 acres?

MR. MILLS: Of course they do not raise it on that; and you have decided that it is not in his interest that he should have the power of doing so.

MR. PLUMB said he would like to know what was meant, by providing for homestead exemption in favour of unmarried men. He supposed that provision was only intended for married persons.

MR. MILLS: The hon. gentleman could not have read the first section.

MR. PLUMB said that this was an extraordinary provision. He had never heard of anything like it in his life. It might exist across the border, but if this was the case, he had never known of it. Such a provision did not exist in any other country, and it was not in conformity with any necessity or good morals.

Clause, as amended, *agreed to*.

On the fourth clause,

MR. PALMER said that it directed that the homestead could not be sold unless the wife joined. This meant any homestead, surely. He wished to point out to the hon. Minister of Interior that, if the clause stood as it was,

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notwithstanding the fact that the wife could forfeit, under the 3rd and 5th section, the right of having this homestead registered in her name under the 3rd section, still, as long as the wife lived, no matter in what state, the husband could not alienate the property unless the wife gave her consent to it.

MR. MILLS: There is an amendment on the margin.

MR. PALMER. I do not understand what is meant by the expression "by his wife, if living, jointly with him." That is certainly funny phraseology.

MR. KIRKPATRICK: It is funny all through.

MR. PLUMB asked the hon. Minister whether his suggestion as to the securing of personal property was not worth consideration? The point was one which affected the whole principle of the Bill. Either the provision of the Bill was absolute or it was not. If it was not, what was the good of placing such a measure on the Statute-book? If any provision was to be made at all, it should be permanent. Those poor people who would go to the North-West, believing that their property would be permanently secured to them, should not be deceived.

SIR JOHN A. MACDONALD said he did not see the necessity for saying that a married man could not alienate his homestead "except the transfer be executed by his wife, if living." If a man's wife was not living, of course she could not execute a transfer.

MR. MILLS: But the provision says: "Living jointly with him."

SIR JOHN A. MACDONALD said his hon. friend had adopted the suggestion that the spirit of the Act would be infringed if the husband were allowed to mortgage his property with the consent of his wife, as, in all probability, he would be able, by his influence over her, to mortgage it whenever he pleased, thus depriving her of the benefit which the Act was specially framed to confer upon her and her children. But, although it had been seen fit to alter this provision, the husband had the power left to sell the property and put the proceeds in his pocket, which was infinitely worse.

MR. MILLS said that, if a husband and wife wished, by selling their property to better their position, they could not be prevented, and, if such legislation was passed, more serious evils would arise than those which the Bill was intended to obviate. The object of the Homestead Bill was to compel the owner of a property to consult his wife, or the wife, if owner, her husband, in reference to its disposal, so that the property might not be mortgaged or pledged for debts or liabilities recklessly incurred, to the detriment of those dependent upon them. This object, he thought, was fully met by the Bill, without creating the more serious results which might arise from insisting that the owners of a property should not have a right to sell it.

SIR JOHN A. MACDONALD said he could not comprehend why a man should not be allowed to raise a small sum of money on his property for the purpose of making a few necessary improvements, and yet should have power of selling it altogether. If a property was mortgaged, a man's wife and family would have a claim on a part of it at least, but in the other case they would have no provision whatever.

MR. LAFLAMME said the intention of the Bill was not to deprive a man of his liberty to dispose of his property, but merely to protect him from creditors who might seize it.

SIR JOHN A. MACDONALD : Why deny him the right to mortgage ?

MR. LAFLAMME : That is to prevent the temptation to a creditor to coerce a debtor into giving him a mortgage.

MR. KIRKPATRICK : He may coerce him into selling.

MR. LAFLAMME : No ; that is a free act, but must be accompanied by the consent of a man's wife and family, who will be called upon to decide as to whether such a sale would be a wise disposition or not.

MR. MASSON : I believe a man will more easily run into debt when he is allowed to mortgage his property than when he is prevented from doing so, because he will always

be expecting to pay off the encumbrance, thus becoming improvident, to the detriment, in the long run, of his family. If he is denied the privilege of mortgaging, it will make him more careful, because he will not run the risk of at once depriving his family of the only means they have of obtaining a subsistence.

MR. PALMER said nothing could be easier than for a man to cancel his registration, because, all he had to do was to cease to occupy, so that it was nonsense to pretend to protect his wife in this way. In the first section, it was provided that a man had no exemption right over a homestead, except when he himself occupied it, and the moment he ceased to do so, his creditor could take it for debt without the wife's consent.

MR. GUTHRIE said he considered the power of alienation entirely different from the power to mortgage. While it was true that a man, by mortgaging his property, might eventually deprive his wife and children of their rights, it was also true that, for the benefit of all, it might be desirable to sell or exchange it. If any attempt, such as that referred to by the hon. member for St. John (Mr. Palmer), was made, it would be a clear fraud upon the Act, supposing it were possible ; but, while the property was in the occupation of a man's wife or family, such a disposition could not possibly take place.

MR. DESJARDINS said that he shared the views expressed by the hon. member for Terrebonne, which, if he was not mistaken, agreed with those of the hon. the Minister of Justice. It was important, since they desired to protect the settler in the possession of his property, and to protect him from the dangers of credit, to forbid him to mortgage his estate. They knew that the facilities given to an individual to go into debt were very frequently fatal to him, owing to the fact that he was thus drawn into enterprises foreign to the object which was proposed to be obtained by this Bill. In this regard, the right that was given to the settler to sell, under certain conditions, his property, was much less dangerous, because they should imagine

that, in adopting this extremity, the settler would be induced to avoid it, because he would have acquired the conviction that this arrangement would not be advantageous to him; while the possibility of otherwise alienating his property would have the probable effect of diverting the present law from the end which it was proposed to attain.

MR. FLESHER said that, in the 4th clause, there was a provision made that the homestead should not be alienated by the husband's act, except the transfer be jointly executed by his wife, if living; or if the wife be dead, or there be a minor child or children of such owner, then, with the express approval in writing of a stipendiary magistrate. But on the death of the owner, if the widow survived, the property passed absolutely to her, and there was no restriction with regard to the minors.

MR. MILLS said the hon. gentleman would see that the fee simple was in the husband; while he was living, he had power to alienate the estate, with the consent of his wife, because she had a life interest in the property. It was not her property, but her husband's, and after his death it was the property of his heirs, subject to her life interest, and at her death subject to the interest of her children during their minority.

MR. PALMER said that, with regard to the fifth clause, it embodied a very objectionable qualification. It set forth that, after the decease of the owner, the property went to the widow, subject to certain exemptions, and then the proviso stated that, in case the wife was deserted by her husband, the husband should produce some sort of certificate to that effect. How he could do that after death, he (Mr. Palmer) was unable to see. Even if it could be done, it would be entirely objectionable, because it was a clear rule of law that a wife should not be bound by a suit to which she was not a party, and, in this case, the wife would be no party at all.

MR. MILLS said he would alter the clause by adding the words "for life," and making it read

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that after the death of the owner the homestead "shall go to his widow for life," because it was the homestead estate that was being disposed of, and not the absolute property.

MR. SMITH (Selkirk) said he thought it would be much better and safer in every respect, if the Bill provided for the appointment of a tutor to the estate.

MR. MILLS: That would embrace a great deal of property apart from this.

MR. FLESHER said he desired to call attention to a point that was absolutely fatal to the Bill. The next clause, clause six, provided that, in case a difference arose between the owner of the property and the creditor, and they could not agree, then the whole property should be sold. So that all a creditor had to do to set the Bill at defiance was to refuse to agree, and the Bill was rendered perfectly inoperative. He thought such cases ought to be referred to some judicial party.

MR. KIRKPATRICK said he thought that the proviso to the 5th clause should be amended with regard to the separation of a wife from her husband by the words "or separate from her husband without just cause." If she deserted him without just cause, and gave no aid in the maintenance of the home, she ought to lose her interest.

MR. DEVLIN: Who is to be the judge of that.

MR. KIRKPATRICK: The Judge. The fact must be proved, and a certificate given.

MR. GUTHRIE: No Judge would give such a certificate. The judgment is a record of the Court, and that could only be obtained from a sitting of the Court.

MR. MILLS said the 23rd line should be altered so as to read "upon producing the exemplification of the judgment."

MR. PLUMB said the 6th clause provided that the owner might agree with a creditor "with the written consent of his wife." If he had a wife, all

right; but did the Government intend to take every owner for a married man?

MR. PLUMB said a clause should be inserted to provide that the money received from the sale of the homestead, \$4,000, or whatever the amount reserved might be, should be deposited in such a way that it should have the same effect for their benefit as if the homestead had not been forfeited. This was a case in which protection was most necessary.

MR. MILLS said the \$2,000 exempted by the Bill might be employed in purchasing land again, which, upon the necessary provisions being complied with, could be registered as a homestead. But if the parties could not agree, it was deposited in some Government savings bank.

MR. PLUMB said that did not provide any security at all. The money was merely deposited in the savings bank, pending the wife's consent. He wanted it to be secured to the family so that it could not be taken from them.

MR. DESJARDINS said he understood that, if the property was worth more than the amount exempted, a transfer could be made of a portion of it to any creditor on an agreement between the parties. How were the remaining creditors to be protected?

MR. LAFLAMME said this would be a fraudulent arrangement, which could be brought before a court of justice. The distribution of the surplus over the portion reserved from the proceeds of the sale did not come within the provisions of this Bill; that was regulated by the law of the land.

MR. FLESHER said a creditor had power to defeat the object of the Bill by forcing a sale, which he could accomplish by merely agreeing as to what should be exempt. The Court giving judgment should have power to interpose if the parties could not agree as to whether the homestead could be sold.

MR. LAFLAMME said the creditor could not proceed to sell or to make an agreement to sell without depositing

\$2,000. This was a guarantee against any such intention or action as the hon. member alluded to.

MR. FLESHER: There will be some check, but not an absolute one.

MR. MILLS said a creditor could have no power to compel the sale of the homestead unless he had previously deposited the \$2,000. If the homestead was not worth that, he could not force a sale. The object of the Bill was to sell, if there would be a surplus, if not, to keep the homestead. The question of personal property and civil rights, upon which this House could legislate if it chose, the Government preferred to transfer to the North-West Territories Council. They were acting upon the principle that real estate so converted might be treated as real estate still, although it was money. Under most of the American Homesteads Acts, there was provision that it should be re-invested in real estate within twelve months; a provision which would, perhaps, unnecessarily hamper the action of the parties.

MR. BOWELL said that in case a creditor compelled the sale of property and it realized over the amount exempted, the surplus went in part liquidation of the debt. The amount exempted, \$2,000, went to the owner of the homestead. Did not that \$2,000 then, become personal property, subject to seizure? It was only protected in case the wife refused to become a party to the transaction, in which case it was deposited in the bank, and subject to the protection given to the homestead itself. If the wife became a party to the sale, and the \$2,000 were paid to the husband, it became personal property, liable to seizure, and the object of the Bill thus was defeated. The first clause ought also to provide that sufficient property, with the eighty acres, to enable the farmer to prosecute his work, should be exempted. If the property, when it became personal property, as it did when it became money, was subject to seizure, the personal property of the the farmer who held the eighty acres should be exempted.

MR. PLUMB said he would like to know if there was a provision made

that the homestead should remain in the hands of the family until the minor child became of age. There was a certain fund which arose out of the sale. To whom did it belong?

MR. MILLS: It went to the proprietor, or his heirs if deceased, the same as any other property.

MR. LANGEVIN said he was not aware the hon. the Minister of the Interior had met the remark made by the hon. member for North Hastings, concerning the liability to seizure of the amount exempted in case of a sale in which the husband and wife agreed. Another observation he had to make was concerning one of the provisions in the 4th clause, which said: "To be drawn out only on the written order of such owner and his wife, or of the survivor of them." There was no provision made in case the owner and wife were dead. Further down in the 9th clause, it provided, in the case of the death of the husband and wife, how the homestead was to go to the children. But it did not provide for the disposition of the \$2,000 deposited in the savings bank in case of the death of the husband and wife.

MR. WHITE (North Renfrew) said he objected to the 9th clause, which required:

"In case the husband and wife both die, leaving a minor child or children, such minor child or children, in order to continue in possession of the homestead estate, shall, within six months after the death of the last deceased parent, file with the Registrar an affidavit, taken before some Justice of the Peace, setting forth the facts."

Supposing the children were of a very tender age, who was to make this affidavit for them? It was not provided that it should be made by any person; it appeared, from the reading of the clause, it should be made by the children. It seemed to him that, so long as the minor children remained in occupancy of the homestead, they should be permitted to enjoy the privileges of the Act until they came of age, without being compelled to register any certificate.

MR. MILLS said it was not the child who made the affidavit; the child filed it through its guardian. This estate in no way affected the fee simple.

MR. PLUMB.

The fee simple was still in the hands of some party or other. It was important that the period when that state of minority terminated should be known to the registrar, and be entered upon the register.

MR. WHITE (North Renfrew) inquired whether the authorities of the North-West Territories would have power to make laws which would be retroactive?

MR. MILLS said the North-West Council had not yet been given authority to deal with real property; but if that power was conferred on them, they would, of course, legislate as they thought proper.

MR. WHITE (North Renfrew) said that, if the power to deal with these lands belonged to Parliament, the House had the power to say that this Act should not be changed by the local authorities. If such a provision was included in the Act, and the 13th section was struck out altogether, the security given to the settlers going into that territory would be very much greater than if the Bill remained in its present shape. Persons could go there and register their homesteads under this Bill, and yet be deprived of the privileges which they had acquired under it. They might, in fact, be induced to go there under, as it were, fraudulent pretences, acquire homesteads and register them, and then be deprived of them.

MR. MILLS said that, whenever there were a thousand of these settlers, they could elect a representative to the North-West Council. They could legislate for themselves, and the House could not assume that, if this measure proved beneficial, they would abolish it. To do so would be simply undertaking to tie the hands of a body which, in time, must have the entire control of the territory.

MR. PLUMB said he supposed that the great object of the Bill was to make permanent provision as far as this could be done. If it was intended to allow this Act to be interfered with, why not strike out the section, and not invite these people to exercise this power. Parliament was legislating for the interests of the people, and it was as

competent to take care of those interests at the outset as was the Council. If this provision was not altered, the measure would not be, in some respects, what it purported to be, but what he feared it would turn out to be. If it was not a permanent provision against accidents and misfortunes in favour of wives and children, there was no object at all in passing it. The measure was not intended for the solvent and prosperous, who would not require it, but for the unfortunate. This was one of the most objectionable sections in whole Bill; and he trusted that either now or in the future, not only this section would be struck out, but also a section would be inserted which would meet the necessities of the case much more fully.

MR. MACKENZIE said that it was a matter of perfect indifference whether the section was left in or not, because the power would remain exactly where it now was under the general law. They had no right to interfere with the self-governing powers of the people in these territories when the latter had a Legislature of their own. It would then be for them to decide whether this legislation was wise or unwise, and any attempt on the part of the House to set its wisdom above that of another Province, as it would be, would be a most extraordinary exercise of arbitrary power, an exercise of power which they had no right to assume, and which could only give rise to internal difficulties such as existed in the North-West Territories six or eight years ago. They should not assume that they were wiser than their neighbours in the matter. A Province would soon be formed there, and the people there would feel quite as competent to manage their own affairs as the people of other Provinces.

MR. PLUMB said that he conceded the proposition made by the First Minister. It was exactly what he had personally been saying; they should deal with this question in proper shape. He did not see why they should meddle with the matter at all if these territories would very soon be able to take care of themselves. There was

no pressing haste and no population, save a few hundred people.

MR. MACKENZIE: 2,000.

MR. PLUMB said that 2,000 was not a very great number. Very few were likely to come under the necessities of this provision. They had been told that these were thrifty, careful and prosperous people. If they were competent to take care of and legislate for themselves, why should they not leave these people to take care of themselves, and avoid all this time and trouble being taken in this relation? If this legislation was to be ephemeral and to be repealed whenever these people choose, the House should not occupy itself with it; but if it was not to be repealed, let it be made permanent.

MR. WHITE (North Renfrew): People who go into this territory and take up land under the provisions of this Act, ought certainly to be protected.

MR. MACKENZIE: They can protect themselves.

MR. WHITE: Yes; but the legislation with reference to their lands will be under a different authority.

MR. MACKENZIE: It will be under themselves.

MR. WHITE said they did not know that such authority would correctly represent the public opinion. It was a question whether hon. gentlemen opposite correctly represented public opinion, and this might be the case in the North-West Territories as well as in the Dominion of Canada.

MR. MACKENZIE: It is pretty safe if that is the case.

MR. BOWELL: That depends on who is Governor.

MR. WHITE said that a provision ought to be added by which those who took the benefit of this Act and registered homesteads, would not be deprived of them by the action of another body.

MR. MASSON said the words, "Act or ordinance" were used, proving clearly that the Government wish to hand over to the North-West Council the power that had been kept back

last year, viz.: the power of dealing with property. The hon. gentleman said that this would be the case when representative institutions were there enjoyed, but the very use of the word "ordinance" proved that it was intended to hand over such power to the Council as it now existed, because a representative body framed Acts and the Council Ordinances.

MR. MACKENZIE: Then take out the word "ordinances."

MR. MASSON said that they did not want this to be done unless it could be done properly. Was it the intention of the Government to give to that body, irresponsible to the people, the right of legislating with regard to property? He maintained that this was the case, if he could judge in this respect from the word "ordinance." If so, why should they not at once give to the Council the right which had been retained in this relation.

MR. MILLS: I stated that when I introduced the Bill.

MR. MASSON said the Government was now reserving the right to empower the Council to repeal this law. Why not, then, throw upon them the responsibility of passing this very measure? He could understand this if they were dealing with such part of the public lands as would be distributed as homesteads; but this relates to the very part of the Bill which declared that the estate would be transmitted from one to another in a particular way. If the Council had not been so empowered, it was because the Government thought that the Council was not fit to do this; and, if so, why did the Government give the Council the right to repeal what the House was now doing? If the Council was not fit to pass the law, why should it be fit to repeal it?

MR. MILLS said, under the North-West Territories Act of 1870, the Council had elected members, who must far exceed in number the nominated members before they became a Legislature, with legislative functions and powers; and, until then, the laws which the Council passed were denominated Ordinances, so that

MR. MASSON.

the hon. the First Minister was quite correct in what he said. He did not think it desirable to give plenary powers to a nominated body; but, long before they would become a Legislature, under the provision of the North-West Territories Act, the Council would have representative members.

MR. MASSON said very well. Did he understand the hon. gentleman to say that it was not the intention of the Government to give the Council the right to repeal this law until the Council had elected members? The point was a serious one.

MR. MACKENZIE: There is no intention to make a change at present, of course.

MR. MASSON: Is it right that the Council should repeal the measure before the people have some kind of representative institutions?

MR. MACKENZIE: They may have representative institutions at any time, as the hon. gentleman will notice by reading the North-West Territories Act, as soon as they have a certain population within a certain limit. There are now several districts which would probably be entitled to a member. Prince Albert has, probably, this right, and another district; but, there is no intention on the part of the Government to make a change until there is a reasonable number to constitute a constituent body.

MR. DESJARDINS said it would be wrong to deprive settlers of acquired rights.

MR. MILLS: The word "lawful" is used after the word "ordinance."

MR. LANGEVIN said that, either this clause should be struck out altogether, or it should be amended in such a way that the provisions of this Bill could be altered, or amended, or repealed only by a legislature elected by the people, and not by a body nominated by the Crown. This Parliament should retain the right to amend or repeal this Act until representative institutions were established in the North-West, when, of course, the Legislatures would have the same powers as those of Quebec and Ontario and the other Provinces.



MR. MACKENZIE: The hon. gentleman forgets that they have representative institutions now. It requires no legislation to give these institutions, for they absolutely have them now.

MR. LANGEVIN: Before they have sufficient population?

MR. MACKENZIE: We do not know how soon the population may be there. We cannot tell that.

MR. LANGEVIN: Why insert the word "ordinance"?

MR. MACKENZIE: Suppose that the entire number of Councillors allowed by the North-West Territories Act was now elected, it would still be an Ordinance under the terms of the Act. The word "ordinance" expresses all that the Territorial Legislature can do under the existing Territorial Act; and there is no intention to change it at present, and no intention to allow a handful of people to make ducks and drakes of property in the territory; but as soon as the population becomes somewhat larger in a particular part, no doubt new Provinces will be laid off. In the meantime, however, the acts of Government will be entrusted to this representative body with two or three nominated members that the Act gives us the power to appoint. Suppose that this clause were out altogether, as soon as the power would be given to them under the Act of 1875, then they could legislate upon this subject. The moment that you give them the power, which the Governor in Council may give, then they can legislate upon it precisely the same as with this clause, which simply declares that there is no intention to interfere with the rights of these people, whenever they have matters relating to real property or real estate under their charge, and deprive them of the right which they would have in any case under the general Act of legislation on these matters. So there is no possible harm in the clause remaining as it is.

MR. LANGEVIN said that if authority could be given by the Governor-General in Council to Local Councils to legislate on matters of this kind, this clause was not necessary. Why should people not have a perma-

nent right over their property? As soon as a homestead was registered by a settler, his wife and children had an acquired right in it, and it was decidedly unfair that, after that right was conferred upon them, they should at any time be deprived of it.

MR. MACKENZIE said the people themselves, through their representatives, had a perfect right to alter the law as they chose. Parliament had no right to force a homestead law on any territory or Province. When, therefore, the North-West territory was constituted a Province, the people would have a right to decide whether they would continue the law now passed or not. It would be for them to say whether it was a beneficial law or not. Most of the members of the House seemed to believe the Bill was one which would be attended with beneficial results, and he concurred in that opinion. It did not matter a particle, so far as the Bill was concerned, whether the clause in question was left out or not.

MR. POPE (Compton) said it was desirable to omit the section, and thus not break faith with settlers.

MR. GUTHRIE said the section should be allowed to remain, because it let people know what they might expect—that the law was liable to be changed, whereas, if it was left out, they would be led to suppose that the present legislation could not be interfered with.

MR. DEVLIN said it would be useless to pass a law giving a homestead to those who might choose to avail themselves of the enactment, and then, in the course of a year or two, dispossess them of the rights they had acquired. He was of opinion that no future legislation could interfere with the rights acquired under this Act, and, if any Council, after the lapse of a few years, endeavoured to set it aside, it would be guilty of a downright fraud. He thought it was impossible for any Legislature which might hereafter be established to set aside the titles to these homesteads, which had been acquired under the authority of the highest Parliament in the Dominion of Canada. As suggested

by the hon. the First Minister, however, this clause might be omitted altogether, because, by so doing, neither greater nor less power would be given to any Legislative Council which might, in time to come, be established. If persons who were opposed to settlement in the North-West—persons in the United States and elsewhere—observed the clause, and published it in the newspapers, an argument might be founded upon it which would materially interfere with immigration into these territories, and would defeat the very object which the Government and the House had in view.

MR. MILLS said he did not attach any importance to the clause, and had no objection to its being struck out.

Clause struck out.

Bill ordered to be reported.

House resumed.

Bill reported.

House adjourned at  
Ten minutes past  
Twelve o'clock.

## HOUSE OF COMMONS.

*Monday, 1st April, 1878.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

### QUESTION OF PRIVILEGE.

MR. STEPHENSON said he wished to bring up a matter which he thought was a breach of privilege of the House. The matter affected himself personally, and he considered that it deserved some attention and some expression on the part of the House. It was contained in a letter written from Ottawa, dated House of Commons, 30th March, which appeared in the *Hamilton Evening Times* of Saturday last. The paragraph to which he referred read as follows:—

“The impression is gaining ground that the disgraceful Bunster-Cheval affair is chargeable to Sir John A. Macdonald and Mr. Stephenson, the Tory ‘Whip.’ It is stated that they egged Mr. Bunster on to sending his note to Mr. Cheval, and that Sir

MR. DEVLIN.

John was at the door of room 13 when the parties met. Not only that, but that he met a member for Toronto and told him there was going to be a fight. It is positively known that Sir John knew first of the affair, and was the first to carry the news into the Chamber. Mr. Bunster has a marked eye this morning, and hangs his head from shame. He was so ill last night after the excitement that two doctors were sent for to attend him. Everybody regrets the row, for which Mr. Cheval was not to blame. It is said that if Sir John A. Macdonald, Messrs. Caron, Stephenson and Macmillan would tell all they knew about the Bunster row, they could tell a pretty story. It is now said that after Mr. Cheval entered the room the door was locked, and that Sir John stood at it, hoping Mr. Bunster would thoroughly thrash Mr. Cheval. Mr. St. Jean, who saw him there, asked to be let in, and was told never to mind—it was all right. He, however, forced an entrance and separated the combatants.”

All he had to say was this: During the evening of Friday, after dinner, he had had no conversation with Mr. Bunster in any way or on any subject whatever. He knew nothing about the disturbance, and he was not present or near the door at the time it took place. It was not until some time after the disturbance had concluded that he knew of its occurrence. He had nothing more to say, except that he did think that certain parties engaged in newspaper correspondence from this House, and in this House, were apparently totally incapable of telling the truth. So far as he was concerned, however, of course, he was used to this sort of thing, having been for many years a newspaper man himself.

AN HON. MEMBER: Hear, hear.

MR. STEPHENSON said he recognized, coming from the Ministerial benches, the voice of the member for North York (Mr. Dymond). He thought that this hon. gentleman's experience tended, probably, in somewhat the same direction as his own, but, only so far as abuse was concerned, as possibly the hon. gentleman had rather indulged in it regarding others than received it himself. His (Mr. Stephenson's) experience, however, was in the opposite direction. In conclusion, it seemed to him that there were correspondents here who ought to have a little more regard not only for the amenities of society and common decency in connection with social

and political life, than to absolutely coin stories of the kind he had already called attention to, and which had not a *scintilla* of truth in them. He merely made this statement in justice to himself and his constituents, because, he did not think it was right that such falsehoods should be sent forth continually and be coined from day to day, as they appeared to be coined.

SIR JOHN A. MACDONALD said he could only say this about the matter which his hon. friend had brought up: He was standing in the Chamber when the hon. member for Frontenac (Mr. Kirkpatrick) came in and said that Mr. Bunster and Mr. Cheval had gone to have a meeting in Committee Room No. 13, and he (Mr. Kirkpatrick) was afraid that there would be a collision: He merely said to Mr. Kirkpatrick, "Come round and let us go back;" and going out into the passage he met—and this was the only true statement in the whole paragraph—Mr. Macdonald, the member for Centre Toronto, and said to him, that there was going to be a fight in Committee Room No. 13. The hon. gentleman said:—"It is all nonsense, you are humbugging me," and walked away. He (Sir John A. Macdonald) went round and opened the door, and saw the two hon. gentlemen talking apparently quite pleasantly. He then turned away, and scarcely had he turned away before he heard the sound of blows. That was the whole story.

MR. MACKENZIE: Do I understand that the hon. member for Toronto did not go with the hon. gentleman to see the fight?

SIR JOHN A. MACDONALD: Yes; he came back as soon as he heard the blows, and he did so as soon as he could. He did not believe it at first, and he said: "I thought you were humbugging me, but I heard such a noise that I turned round immediately."

MR. MACDONALD (Centre Toronto) said he thought that the right hon. gentleman had forgotten to state that he said to him (Mr. Macdonald): "You are a man of peace; there is going to be a row; you come and

try to prevent it." The hon. gentleman had certainly impressed him from his manner that, if there was to be a row at all, he (Sir John A. Macdonald) was extremely desirous to prevent any such result.

MR. BLAKE: You thought he was "humbugging?"

MR. MACDONALD said he had stated: "Surely there cannot be any such serious intention," but he then heard a tremendous row, and, as had been stated, he went there immediately afterwards.

SIR JOHN A. MACDONALD said the hon. gentleman followed. He thought that the proprietor of this newspaper should adopt the very proper course taken by the *Globe*, and dismiss the correspondent. It would tend to its respectability.

MR. BOWELL said he knew nothing about this transaction, but the same correspondent, a few days ago, had reported, and that statement had been copied in a local paper, that he had bullied—he believed that this was the expression used—the Clerk of the House into giving up to him some paper. All he had to say was that there was not a word of truth in the allegation. Any one who knew the Clerk of the House was aware that there was not a more courteous officer, he supposed, in the Dominion, or perhaps in the world; and he took this opportunity of saying publicly that he neither directly nor indirectly, had he ever used a discourteous word towards the Clerk, or ever sent him a discourteous message. This was as pure and complete a falsification as the most fertile brain could possibly conceive, in order to lie about members whom they did not like.

MR. WOOD said there was one thing which he must say to the credit of the correspondent in question. He believed that this gentleman was credibly informed as to every word that he had sent in this despatch. Whether it was judicious or not to send it, he was not to say; but he was quite satisfied that the correspondent had got his information from parties who knew what they were talking about, or at least who made him believe him so. He

was quite satisfied that the correspondent of the *Hamilton Times* would not send a report contrary to fact that he knew to be so, any more than any gentleman in the House would do; and he was certain that if the correspondent had wronged any hon. member in any way, he would be the first man to make it right.

**SIR JOHN A. MACDONALD:** The difference is this: he makes the facts, and, therefore, it cannot be contrary to the facts he makes.

**MR. WOOD** said that the facts were there as stated, and they had not been controverted in the House. He thought that it was wrong to send these statements to the papers; the correspondent might have done it hastily, and perhaps if he had had a longer time to consider the matter he would not have put it as strong as had been the case. At the same time he did not think that he was any more to blame than some other correspondents, about whom nothing had been said in the House.

**MR. MACDONNELL** said he would not attempt to apologize for the correspondent of the *Hamilton Times*; but there were other correspondents to whom reference could be made, and particularly one from Nova Scotia, who had had the audacity, a few days ago, to attack an hon. member of the House in a most inexcusable and gross manner, for which it would be a mild proceeding to attach for libel if the attack were made on an ordinary citizen, and more so since it was directed against an hon. member of the House. An attack had been made on himself in this paper, the *Morning Herald*, of Halifax; and not only so, but his conduct and his proceedings in this House had been most grossly misrepresented, and in such a way as to justify the correspondent in being brought before the House and committed. The ridicule which had been thus perpetrated, regarding members of the House, was actionable or indictable for commitment with respect to a private individual or citizen. He did not intend to read these articles; but he might say, that they might not perhaps, have been correctly attributed to any person until their author, a few days

**MR. WOOD.**

ago, had published in the *Ottawa Citizen* the fact that he (Mr. Griffin) was the editor of the *Morning Herald* of Halifax. It was not worth while to give that individual the importance that would be attached to him were he to be brought before the House, but he (Mr. MacDonnell) thought the Speaker ought to exercise the powers invested in him, and exclude such offending correspondents from the galleries of the House. He cared not to what papers these correspondents were attached, for, in any case, the honour and dignity and decorum of the House should be preserved unsullied, and to do so was to perform an obligation and duty which they owed to the House and country, and to those who sent hon. members there to sit in the Chamber. The Speaker should so exclude all persons who had displayed the contumely towards hon. gentlemen that was exhibited by this correspondent from Halifax, who, a few Sessions ago, had attacked a most esteemed and honourable and a most worthy member of the House in a gross and wanton and libellous paragraph having respect to the hon. gentleman's infirmities. Only a few days ago, this correspondent had used the term "donkeys" with regard to hon. members; and this over his own signature.

**SIR JOHN A. MACDONALD:** It is a Parliamentary word.

**MR. MACDONNELL** said that hon. gentlemen might laugh, but he wished to tell hon. gentlemen that they were all equally vulnerable. He was quite willing to break a lance with this correspondent, but he did not desire to give to this individual from Halifax any undue importance. He would reiterate that it was due to the decorum and dignity of the House that the Speaker should exercise the power invested in him, and have excluded—and that permanently—from the galleries of the House correspondents who so disregarded the honour and dignity of the House.

**MR. HADDOW** said that, in looking over an article written by the individual alluded to by the hon. member from Inverness (Mr. MacDonnell), he had found his own character referred

to as being dishonest. He had not felt inclined to take notice of the aspersion, as he had some idea of the character of the paper in question, owing to the fact that he knew a certain gentleman who had found it necessary, though in sympathy with the party represented by the *Morning Herald*, to exclude it from his family on account of the scurrilous language which it contained. As he was aware that this was the character of the paper, he had concluded that it was not worthy of his notice.

MR. MITCHELL said that he too had something to say in this connection. Some worthless fellow, representing the *Globe* newspaper, referred to him the other day in the correspondence in a disreputable manner. Of course, no member of the House would be guilty of such a thing, and he (Mr. Mitchell) treated the writer with the contempt he deserved, which, he thought, was the best way to answer such scurrilous remarks coming from any correspondent. He did not see why gentlemen who felt themselves aggrieved in this respect should take up the time of the House in discussing such scurrilous charges; they should be treated with the contempt they deserved.

Mr. PLUMB said he too had a grievance in this respect, but he did not think it worth while to criticise the remarks made regarding him, at any length, before the House. They reminded him, however, of a donkey story, regarding a nobleman high in rank, but not in intellect, who was recommended to the order of the Thistle. There was some demur to giving him that high distinction, and the Minister who was urged to confer the honour—Lord Derby, he believed—on being asked why he still refused, said that, if the Thistle was granted to the nobleman in question, he might eat it up. He thought this pertinent to the affair in question, and hon. gentlemen who did not wish to eat the Thistle had better let newspaper criticisms pass. He did not attach the slightest weight to the criticisms of the members of the gallery, and the only thing which caused him unpleasantness was to be praised by them.

## INSOLVENT INSURANCE COMPANIES BILL.

(Mr. Blake)

### FIRST AND SECOND READINGS.

MR. BLAKE introduced a Bill (No. 65) to make provision for the winding up of Insolvent Incorporated Fire and Marine Insurance Companies. He said a measure had been introduced for the purpose of winding up the Agricultural Insurance Company, and its provisions might have attracted the attention of the House. It appeared to the Committee on Banking and Commerce, to which the Bill was referred, that some of its provisions were open to very grave objection as applied to a private measure. As the House was aware, provision was made for the winding up of insolvent incorporated companies, but these provisions were expressly excluded from having any effect with reference to three classes of companies—banking, insurance and railway. Subsequently, it was found necessary to apply those provisions to insolvent incorporated banking companies, and an Act was passed last Session, he believed, applying them with the necessary qualifications, of course, to banks. It was now thought desirable to apply those provisions to incorporated American insurance companies as well. For his own part, he thought it might be an improvement to have a separate Bill, or make separate provision for the winding up of different insolvent insurance companies; but, as he knew, it would be hopeless to attempt to prosecute such a measure in the House. The modifications which he ventured to suggest were these: The House would at once realize that a very large proportion of the creditors of an insolvent insurance company were persons who had a claim for an unearned premium. Take the case of the insurance company now under discussion in the Committee room. He believed connected with it there was between \$30,000,000 and \$40,000,000 involved, representing, perhaps, as many thousand risks. The individual claims for premiums would not be much, but, in the aggregate, they amounted to a large sum. He proposed to make the person pre-

ferring such claims creditors for the proportion of unearned premium against the assets of a company, following out, in that particular, the provision made in the general law. He proposed that the first or post notice given to this vast mass of creditors should receive sufficient publicity by being inserted in the *Gazette* and a local newspaper. His other modification was, that it should be the duty of the assignee, after examining the records of the company and taking the evidence of its officers, to collocate to those persons as creditors on a dividend of loss, giving them at the same time the right, if they disputed the award, to make a claim, and giving to those whose claims would amount to \$10 the power to collocate without going to an expense which would swallow up their claim altogether. Another modification he proposed was, that the assignee should be authorized, with the assent of the creditors (given at a meeting where the policy holders might vote if their claims were each under \$100), to act on a resolution to be afterwards drawn by a Court or the Judge, making provision for the transfer of outstanding risks to any solvent insurance company reported by the Superintendent of Insurance as being in a satisfactory condition. The assets of the insolvent company would remain in the hands of the assignee as security for the performance of the obligations undertaken by the new company. This arrangement might be made in many cases, thereby involving a much less loss to the creditors of a company than by winding up the business. There should, he thought, be a short season during which risks might run off. He had shortly explained the general scope of the Bill, because he felt that at this stage of the Session, the measure could only be adopted by the unanimous consent of the House. It seemed to him that the only way to pass it would be by a suspension of the rules, and the second reading of the Bill, in order that it might be discussed in Committee of the Whole. He felt it his duty to make this suggestion to the House at the present moment, but it depended on how it was received whether he should move the second reading or the suspension of the rules.

MR. BLAKE.

MR. BLAIN said he desired to call the attention of the House to one or two points connected with the subject before the House. As the hon. member for South Bruce had explained, a question arose as to the Bill now before the Committee. He might say that he was on the sub-Committee, and that very considerable difficulty was experienced in dealing with the question. He might state also that that difficulty had not, in any wise, been removed. Objection had been taken by the hon. member for South Bruce, in the first instance, that this question ought not to be dealt with except as a branch of the general Insolvency Bill. That proposition would, he apprehended, affirm that the House ought not to resort to special legislation in any case, and the Bill before the Committee was ordered to stand over in order that the general Bill might be brought before the House and taken advantage of. He did not agree with the idea that it was the duty of the House to adopt a rule which would tie its hands in dealing with insolvent companies. It seemed to him that, in cases where interests so important were involved, they would be obliged to resort to special legislation. It could be very well seen that if the Bill now before the Committee was not adopted, no legislation could be got through the House this Session which would relieve the company referred to, the risks connected with which amounted, as had been stated, to between \$30,000,000 and \$40,000,000. His hon. friend from Hamilton said the risks had been reduced somewhat. Probably they might have been, but he (Mr. Blain) was merely going on the basis of the statement made by the hon. member for South Bruce. They were now asked to suspend the rules of the House in order to introduce this Bill, but he thought it might very fairly be considered whether it was not really the duty of the House to say whether they would deal with the case under the general terms of the British North America Act. It seemed to him that, in the event of a railway or any other great corporation getting into trouble, it was absolutely essential that they should resort to special legislation, and he would object, there-

fore, to hampering the hands of the House in dealing with insolvent companies. He thought a Bill should be made which would meet the particular case under the consideration of the Committee.

MR. PALMER said he entirely agreed with the remarks made by the hon. member for South Bruce, and when the Bill came before the House, he would be prepared to deal with it. He foresaw that considerable difficulty would arise in dealing specially with the private rights of corporations. As every member of the House was aware, the tendency of the Insolvent Bill was to destroy the rights of creditors, and he was, therefore, opposed to it. It was improper to call the measure proposed by the hon. member for South Bruce an Insolvent Act, because it was not intended to destroy a single right possessed by a creditor. It was to conserve the funds of insolvent corporations, and the hon. gentleman deserved credit for introducing such a measure. His (Mr. Palmer's) attention had been turned to this subject lately, and the House would doubtless bear with him when he said he was satisfied that general legislation was pernicious. He did not refer specially to the Bill introduced by the hon. member for West Northumberland, which was proposed, doubtless, with a good object; still he had several objections to it, because, instead of the creditors taking charge of an estate, it was left to the care of the debtor. That was an objection he could not get over, though he had a high opinion of the good intentions of the hon. gentleman. He saw no means of getting over the difficulties of the case except by some such legislation as that proposed by the hon. member for South Bruce.

MR. HOLTON said that as reference had been made to the position of the private Bill now before the Committee on Banking and Commerce, he might be permitted, in the interests of the House, to state the position in which it really stood. His hon. friend from West York had assumed that the fate of the Bill under his charge was dependent on the adoption of this measure. Such, however, was not the case. When the attention of the Com-

mittee was called to the inexpediency, perhaps the unconstitutionality of dealing with a private Bill on the insolvency of corporations, they thought it would be better to test the sense of the House in respect to a general law before deciding as to whether they should favour the private Bill or not. The private Bill, therefore, stood before the Committee for consideration. There was the strongest possible desire to give relief to those who applied for it, but they all felt that if that relief could be given under the shelter of a public law, in respect of which no question of constitutionality could possibly arise, it would be much better, and, therefore, the hon. member for South Bruce had brought this Bill before the House.

MR. DELORME said he thought there was no need for the rules to be suspended, as there would be plenty of time to discuss this matter. He knew of cases where not only the shareholders but the people insured had been defrauded, and he considered that this side of the question ought to be taken into consideration. It was known by all that the public at St. John suffered very largely from the great fire. Subsequent to that calamity, insurance agents were here, there and everywhere about the city, but the only good they did was to give employment to a few clerks. This was a case in which several members of this House were interested, and came as a severe example. He did not say for a moment that the directors were to blame; he believed the directors in this case, at least some of them, were honest men, and did what they believed to be their duty, but that they were misled by the managing director. The public ought not to suffer, however, simply because certain directors had been misled and because certain shareholders had taken up capital in a concern at one-quarter its value, only paying \$25 for every \$100 subscribed. He considered that, under the circumstances, those shareholders ought to pay the full amount subscribed, and when they found that the managing director had four hundred shares of the company, and that he had paid nothing at all on those shares,

he believed this was the proper time to deal very severely with such companies. The insurance inspector ought to feel it his duty to see that those who were insured in these companies were secured, and, also, to see that the shareholders also were secured. There should be a report in such cases, showing if every shareholder had paid his share.

MR. ROCHESTER enquired whether this Bill would interfere with the general Insurance Act.

MR. HOLTON: No; it only provides machinery for the winding up of such companies.

MR. BLAKE said the Bill proposed that the same assignee should be appointed as under the present Act, to manage the general liquidation, but it provided, also, that he should distribute the deposits. It did not alter the rights of any persons having claims against the estate, but was intended as a more inexpensive mode of liquidation; the costs, at present, sometimes amounting to as much as the claims.

MR. ROCHESTER said he hoped the hon. gentleman would go a little further and place some remedy in the hands of the insurance agents against the large expenses incurred. They were aware that, as the law stood, a coroner must be appointed, and that coroner must summon a jury for every fire. If that could be changed in some way, so that the resident magistrate might take evidence on oath with reference to every fire that took place, it certainly would be the means of avoiding a great deal of expense. He had something to do with one insurance company, and he firmly believed one-half of the number of fires that had occurred during the past year had been wilfully caused by those interested.

MR. BLAKE: A great many more than one-third, I dare say.

MR. ROCHESTER said he thought resident magistrates ought to be empowered by law to make a preliminary examination in every case of fire, and this would be a great saving of expense and a great benefit to the country.

MR. DELORME.

MR. DESJARDINS said that, from what he understood of the Bill that the hon. member for South Bruce had brought forward, he thought it went very far towards meeting the objects of the promoters of the private Bill. These objects were not to deprive any of the creditors of a company of any right they might have against it, but to prevent needless expense in the winding up of a company. From the moment a company stopped business many of the creditors went to law in order to protect their claims, and so both the company and creditors were put to a large expense. They had no remedy for this, and, therefore, the company came to Parliament for relief. Subsequently, it was considered that the relief should come from a general law rather than from a private Bill, and he understood that the Committee were willing to give such a remedy as would meet the special requirements of the company. With these considerations before them, he hoped the House would permit the rule to be suspended in order that the Bill might be read a second time.

SIR JOHN A. MACDONALD said that, from what he could perceive of the principles of the Bill, he had no arguments to urge against the rule being suspended to meet the expediency of the case. If the motion was agreed to, when would the Committee be likely to meet upon it?

MR. HOLTON: The first meeting will be on Wednesday. In fact the private Bill to which reference has been made stands first on the orders of the Committee, and if this Bill could reach this Committee in time to be considered in connection with the private Bill, it would be a great convenience.

SIR JOHN A. MACDONALD said it might form a precedent, but taking into consideration the fact that, if the rule was not suspended, the matter would be thrown over until next week, he would agree to the motion.

MR. POULIOT said that, in many points, the Bill was unsatisfactory, and ought to receive further consideration before it passed the second reading. He should oppose the suspension of the rule.



MR. BLANCHET said several members had spoken of this Bill from the shareholders' point of view. He spoke as a policyholder, and while he believed, as stated by the hon. member for Chateaugay, that this House was always ready to come to the relief of companies, he trusted that those who had this legislation in their hands—the hon. member for South Bruce and others—would see that all interests concerned were safely guarded.

SIR JOHN A. MACDONALD said he would suggest that, before the Bill came before the Committee, it should be printed and distributed among the members, and that those interested in the Bill might go before the Committee, either to forward or oppose any clause of it.

MR. HOLTON said he deemed it essential to have the Bill in the hands of every member, in a printed form, before the Committee sat.

*Bill read the first time and second time.*

BROCKVILLE & OTTAWA & CANADA  
CENTRAL RAILWAY COMPANIES BILL.

[BILL No. 9.]

(Mr. Galbraith).

CONSIDERED IN COMMITTEE.

House resolved itself into Committee on said Bill.

MR. McDOUGALL (South Renfrew) moved an amendment to the 6th clause, that the words "five hundred" be erased and the words "seven hundred and fifty" be substituted. His object, he said, was to establish a limit to the amount of stock that might be issued in the amalgamated company. Certain municipalities, in the constituency which he represented, had stock in the Canada Central Railway, one of the two companies which were to be amalgamated under the Bill. It was proposed that the stock which they jointly held, \$42,500, should be reduced to less than \$17,000. He wished to impress upon the Committee that the proposed reduction was asked without any evidence whatever having been shown that such reduction should take place. The method of giving stock to the present stockholders in the two

companies was, according to the Bill, so much per mile over both lines, namely: at the rate of \$6,500 on each road. This assumed that the two roads were equally valuable. Before the Committee concluded they were equally valuable, they should certainly have some information on the subject. It was quite manifest that, in a consideration of this kind, two things, at least, should enter, viz.: the present earnings and future prospects, of each of these two roads, respectively, and the debts now existing upon each of them. Before that Railway Committee, he drew attention to the fact that the interests of the persons whom he represented in Parliament would be seriously affected by the proposed legislation. He had suggested to the legal gentleman who had been looking after the interests of these railway companies, in conjunction with the member for North Lanark (Mr. Galbraith), that some information should be given this House on this subject before asking for legislation to take away from these people what were their apparent rights. It was suggested that one of those companies, the Brockville & Ottawa Railway Company, had received legislation in the Ontario Parliament for the purpose of reducing the stock of the shareholders in it, and that, therefore, when this Brockville & Ottawa Company was to be amalgamated with the Canada Central Railway Company by this Bill, it was right that the Committee should consider the losses which the Brockville & Ottawa Company had previously suffered. He contended that they could not proceed on what had been done formerly with reference to these companies. They were obliged to consider the position of both companies at the present time. They should consider the assets of the two companies when they joined in this partnership—a partnership exactly similar to one entered into by two individuals. Another point which had been raised with reference to this matter was that municipalities, when they aided railways, received stock as part of the consideration, the principal consideration being supposed to be the benefit of the railway running through their part of the district. If

the municipalities had a right to the stock, they had a right to all the advantages which flowed from it. If the Committee considered the fact that the Canada Central Railway Company, the road in which these individuals for whom he was now contending had an interest, was to form a link of the Pacific Railway, and thus be in a much better position than the Brockville and Ottawa Railway Company, which was liable to have a great portion of its traffic cut off by the Kingston railway, which would be built in a short time, they would see that the future prospects of the Canada Central Railway were much superior to those of the Brockville and Ottawa Railway Company. He believed Parliament should be very loath to allow legislation of this kind to receive its sanction without having some proof that the interests of the country were to be benefitted by it, and that interests would not be unduly sacrificed by such legislation. It was true that, when a representative of a particular portion of the country advocated the interests of a particular section or of the whole constituency which he represented, hon. members generally were apt to look with some degree of suspicion upon the statements he advanced. It was supposed to be very natural that a man should advocate the interests of his constituents, whether their claims were really just or not. On the other hand, if the people of a portion of South Renfrew had a just claim, no other hon. member had the same right to put it forward as the one who represented them. Any other hon. member would feel delicate about pushing forward a claim of a particular constituency, so long as its representative sat in the House. He had the right to expect from the representatives of the people in this House, that, unless the Canada Central Railway and Brockville and Ottawa Railway showed better reasons than they have produced for the proposed reduction in the stock of the municipalities to which he referred, they would not accede to their request for such reduction. The stock in both companies, except the amount held by the municipalities, was owned almost entirely by persons who were promoting this Bill. Any legislation reducing their stock would not

MR. McDUGALL.

affect the other individuals as it would affect the municipalities, because the former held the entire balance of stock in both companies. He proposed the amendment so as to leave the stock of the three municipalities in the position in which it was heretofore held in the Canada Central Railway books.

MR. GALBRAITH said there were two questions asked by the hon. member for Renfrew which he could not answer. The first was as to the debts of the respective companies, and the second was as to the probable prosperity of the roads in the future. The people of Renfrew offered bonuses to the company if they would go on and extend the road, in return for which they received stock in the company. The road had been extended, and thus the principal thing for which the people of Renfrew contracted for had been obtained. With respect to the stock, the people of Renfrew held, out of 12,425 shares, 425 shares. The parties holding the balance, 12,000 shares, had agreed that this reduction should be made. The reduction upon the original stock of the Brockville and Ottawa Railway was 90 per cent., so that the stock originally held by that company represented now only 10 per cent. of what it originally was issued at. The reduction was to be equal over the whole stock. Should there at any time be a dividend, the reduction having been the same, and the amount to be divided being the same, the dividends would be the same. Under all the circumstances, the House would form its own judgment on the facts.

MR. McDUGALL (South Renfrew) said that when they gave their money, they obtained two things: the railway, and a certain amount of stock in it. The experience of most persons who had anything to do with railway companies was, that they did not obtain from those corporations more than they were entitled to, under their agreements. The municipalities having obtained stock, it should not be reduced unless sufficient reason were afforded; and it should be shown that on the amalgamation of the two companies—an amalgamation which he was bound to say was advisable in the

public interest—the stock would not be reduced beyond what justice and fair play demanded. It would be of no consequence if the reduction was made in the same proportion. But he held that the property of the Canada Central was better than that of the Brockville & Ottawa Railway. While it might be difficult for him to show that such was the case, nevertheless, when the companies came before Parliament and asked for amalgamation and power to interfere with the rights of private individuals, who had an equal right with the companies to the protection of Parliament, they should show ample grounds for the reduction of the stock as proposed. No facts had been adduced, either before the Railway Committee or the House, to warrant the reduction, and the whole burden of proof, in that respect, rested on the company. Without such proof being submitted, the stock should be allowed to remain in its present position. He denied the accuracy of the contention that there was no point to be made from the fact that the rest of the stock in both companies was held by a private company. If the roads were able to pay interest on the bonds, and leave a surplus for working expenses, it would be of vast consequence, for the greater the reduction in the stock, the more profit would accrue to that private company.

Mr. LAFLAMME said the hon. member for South Renfrew (Mr. McDougall) had admitted that the amalgamation was made in the interests of both companies and that it had been a matter of consideration by the stockholders. The bondholders and stockholders of both companies had agreed upon the amalgamation, and, after valuing the assets of the companies, had arrived at what would hereafter be common property. The hon. member had forgotten that those statements were given by the companies. The bondholders who covered the entire value of the property and all the stockholders—except those holding stock to the value of \$42,000 in one company, and whose claims were advocated by the hon. member for North Renfrew—had agreed upon that valuation, and that the amalga-

mation should be made upon that basis. Any surplus would be distributed *pro rata* to the respective shareholders, notwithstanding the nominal value of the stock.

Mr. McDOUGALL (Renfrew) said the hon. the Minister of Justice had forgotten that the information which was necessary to enable them to determine whether the proposed reduction should take place in the stock of private individuals had not been laid before the Railway Committee. Notwithstanding the remarks of the hon. Minister, he was not shaken in the position he had assumed.

Mr. HAGGART said that, when it was considered that nine-tenths of the stock of the Canada Central and Brockville and Ottawa roads was held by a single individual, it would be seen that it was a matter of comparative indifference to him what were the terms of amalgamation between the two companies. That might, however, be a matter of vital importance to parties who held a small amount of stock. The position taken by the hon. member for South Renfrew (Mr. McDougall) was a very proper one, in view of the fact that the Bill would authorize the company to make a new issue of bonds, which, in all probability, would be taken up by the same individual, and it gave, moreover, the power, which had not been obtained by any other company, of absolutely selling and disposing of the rights, title and franchise of portions of the road.

*Amendment negatived.*

On the 10th clause,

Mr. HAGGART moved an amendment to place the municipalities as stockholders in their original position. He said that, by an Act of the Ontario Legislature, the bonds were reduced to 25c. on the dollar, and as the stockholders, represented by the gentleman to whom reference had been made, agreed to the proposal, the remaining stockholders were obliged to submit, and the minority were thus legislated out of their rights. Under the Bill, bonds would be issued over them, and they asked to be reinstated in their original position.

MR. GALBRAITH said a loan was granted by the old Parliament of Canada to the counties of Lanark and Renfrew, the town of Brockville and the township of Elizabethtown, to enable them to assist a company in building a railway to reach from the St. Lawrence, at Brockville, to Pembroke, at Ottawa River. After some time the company which first undertook the contract for the road failed on account of one of the principal contractors being lost at the time the *Arctic* steamship was burnt. Considerable confusion arose as to how the road was to be proceeded with. It was understood other parties were applying for the debentures that had been granted to those municipalities; and the probability was that, unless those debentures were issued in a short time, they might be given to other places. The County Councils of Lanark and Renfrew, with the township of Elizabethtown, which was unwilling at that time to enter into the arrangement, and the Town Council of Brockville, which also was unwilling to enter into the arrangement, agreed that they would go on and build the road as far as their means, which comprised the debentures, could extend it, expecting that they would have sufficient to complete it to the Ottawa River. A large amount had been spent on it at the time, and it was supposed that they could complete it and put it in a position for traffic. They proceeded with the work and extended the road from Brockville as far as Almonte, when the means in the hands of the municipalities failed. So long as the parties in England, who advanced all the iron for the railway, received interest upon the bonds they had accepted in payment of the iron, they were satisfied that the road was in a good condition; but so soon as the debentures of the municipalities had been exhausted, the company was unable to pay the interest, and those parties thereupon sent an agent to Canada to ascertain the reasons why the interest was not paid. When he came here he found the company was in a hopeless insolvent position, and he refused to render any assistance until such time as it was agreed that the road should be handed over to the parties he represented.

MR. HAGGART.

The old company was unwilling to surrender the management of the road and kept control of it during several years, endeavouring every year to raise in England, upon such securities as they could offer, sufficient money to enable them to extend the line. Ultimately, finding they could not do that, they entered into an agreement with the agent of the parties in England. Immediately after the completion of that agreement, and also an agreement which the agent entered into with the municipalities respecting their lien upon the road, he advanced at once \$300,000 in gold, which was expended on the road, and extended it from Almonte to Sand Point, placed a large amount of rolling stock on the line, and built a large machine shop and round house at Brockville. Since that time, those parties had kept control of the road, but they found that the amount of securities they held was something like \$600,000, together with the amount of the indebtedness of the company, with the interest annually accruing, made it utterly hopeless to expect the company would ever be able to redeem itself. Those parties, therefore, came forward, and having obtained the assent of a large number of persons holding bonds and stock in Canada, applied to the Ontario Legislature, and obtained an Act reducing the entire amount of stock and bonds held. The bonds, up to a certain date, were to be reduced at the rate of 50 per cent., bonds received after that date, and all bonds held by parties in Canada, were reduced to 25 per cent., and all stock held by other parties reduced to 10 per cent., and the whole was converted into ordinary stock of the company, bearing no interest. That comprehensive scheme was entered into with the hope of placing the road in a proper position. It was now proposed that the two roads should be placed in such a position as would enable them at some time to redeem themselves from the burden of debt that rested upon them, and they came to Parliament to ask that a measure might be passed with that view, and this party, holding \$500 worth of bonds, asked that the bonds of the company should be paid over to the parties holding the stock of the com-

pany. It was the intention that the new issue of bonds should be applied generally to two purposes: first to pay off the bonded debt of the company, and all the ordinary liens and debt of the company, and in the meantime that the balance should be appropriated towards the extension of the Canada Central Railway. If this resolution were to pass, and if these new bonds were to be paid over to the old bondholders in proportion to the amount of bonds which they held, it would swallow up the entire amount of the bonds left after paying the ordinary bonded debt of the two companies as it stood at present; consequently, he thought that the House would see that it would be utterly preposterous to adopt the amendment moved by his hon. friend.

Mr. LAFLAMME said that the hon. gentleman would find, on reconsidering his motion, that he wanted the House to destroy a solemn engagement entered into by parties under the sanction of the Local Government of Ontario, which would be contrary to all principles of law. They had no right to interfere with this legislation. It had been settled by competent authorities when this railway was under the exclusive jurisdiction of the Ontario Legislature, and to do so would be virtually to repeal these provincial enactments and revive claims which, by mutual consent, had been arranged and settled. He believed that the hon. gentleman would see that his motion could not be carried.

Mr. HAGGART said that here were bondholders who held but a very small portion of the stock of the company. As had been stated in the House, nine-tenths of the stock of both companies was held by one individual, who, by his mere voice, could issue bonds that might cut out entirely the other bonds of the company, his own and others. It was in this individual's interest that his own stock should be wiped out in both companies, if the entire control of the road was given him. Three-fourths of the stock had the right of legislation under this Bill, and those who held but a small portion of it had no voice at all in the matter. This person could do what he liked. What

right had one person, who owned, perhaps, nine-tenths of the stock, to the prejudice of the holders of the remaining tenth, to sell bonds for the extension or building of the road from Pembroke upwards? He could issue bonds, purchase the road and build it, and, in fact, do anything he liked, without the consent of the holders of the remaining tenth. If it was provided that not only three-fourths of the stock, but a majority consisting of three-fourths of the stockholders of the company should take action, some protection would be given to those individuals who now had none whatever.

Amendment *negatived*.

On clause 13,

Mr. HAGGART said that it was an extraordinary one. It divided the road into two sections, eastern and western. The former was already built, from Ottawa to Pembroke, and the latter was unbuilt. This clause allowed the amalgamated company to enter into a contract for the further construction of the road; but they were to be in no way liable to the contractor or to any person who entered into the contract for the Western extension, further than related to the bonds issued for the Western extension. In explanation of this clause in Committee, the promoter of the Bill had stated that negotiations were in progress, whereby a contract was being given to an individual, with the consent of the Government, for the building of this portion of the road. He would ask the leader of the Government in what position the contract with this individual was?

Mr. MACKENZIE: It is in an unexecuted position.

Mr. HAGGART said it would be an extraordinary thing for an hon. gentleman and the leader of the Government to allow a company, which was about to enter into a contract with the Government for the extension of the road from Pembroke upwards, to be relieved from all liability with regard to the extension, as far as the portion already built was concerned. This clause relieved the company from all liability to the Government, and, in fact, allowed them to enter into a con-

tract for the extension of the road on receipt of a certain bonus, without being at all responsible to the Government.

MR. LAFLAMME said that this clause was intended to protect the bondholders of the amalgamated company which would be authorized to construct the extension, provided that the party doing so would take for security that portion of the line. Consequently, this was in the interest of the stockholders, and it would be another matter for the Government to consider if the contract was to be at all made with the Government.

MR. HAGGART: I understood that the Act gave the Government power to enter into a contract with existing or contemplated railways.

MR. LAFLAMME: No extra power whatever is given. It leaves the two companies exactly as they were in that respect.

MR. HAGGART: Decidedly; but it allows the company to enter into a contract with the Government, while it will not be at all liable with respect to the portion of the road already built. The bondholders or owners of the road already built to Pembroke will be in no wise liable for the completion of the contract.

MR. LAFLAMME: It will be liable when the contract is completed. The moment that the contract is executed the amalgamated company will become responsible to the amount of \$12,000 per mile on bonds to be issued.

MR. HAGGART said he then did not understand the clause. It stated that the amalgamated company might contract for the construction of the extension known as the Western section, or any part thereof, without being liable in respect to the Eastern section, until it should have accepted the extension from the contractor. The latter might never do that.

MR. LAFLAMME: Well, then, the extension will never be built.

MR. HAGGART said it might be built and the money advanced, to the amount of \$12,000 per mile, by the Government.

MR. HAGGART.

MR. LAFLAMME: But it would not be advanced until the road is completed.

MR. HAGGART: The hon. gentleman says so; but has not money been advanced on that section of the road ready for the iron.

MR. LAFLAMME: That is another matter altogether.

MR. GALBRAITH moved that the 11th section be struck out.

MR. HAGGART said that, if this was done, the 13th section would also have to be omitted. Was he to understand that the only part of the Bill which made the eastern section of the road at all liable as to the extension of the road, was to be removed by this clause concerning the western series of the bonds and the balance of the proceeds of the eastern series? Was he to understand that the liability would relate solely to the western section?

MR. GALBRAITH said that, as he understood it, the eastern series of bonds would be issued, and the ordinary bonded debt of the company would be redeemed by this class of bonds. The western series of bonds would be issued for the extent of the road to be built; and the whole amount would be applied, he supposed, towards the construction of that road; and the balance of the eastern series of the bonds, after redeeming the present debt of the company, to which it was intended that the bonds should be applied, would also be applied to the extension of the road.

MR. HAGGART said there was no clause to cover this matter. They struck out the balance of the proceeds of the eastern series which was to be so applied; this was the only clause permitting the issue of any portion of the eastern series.

MR. LAFLAMME: That is stated in a previous clause. The western series alone shall be used, and only after the acceptance of the road and the payment of all existing liabilities on the eastern section, preferential and otherwise, shall these bonds be executed on the eastern series, and pay for the western extension.

*Motion agreed to.*

On the 13th clause,

MR. CURRIER said that one man or one private individual owned both roads, and permission was to be given by their legislation to contract for the extension of the road to—he did not know where. At all events, this legislation would authorize that extension of the road, and at the same time it protected the property of these individuals from being liable to the creditors of the company for the extension. It exempted the property held in these two roads from any liability on the part of this one man or this one private individual with regard to the extension of the road.

*Clause agreed to.*

MR. PALMER said the Bill had been altered in Committee, and on its third reading he would move its postponement for three months. If he understood it correctly, the Bill virtually allowed the company to build a railroad, reserving at the same time a portion of their property which should not be liable to seizure for their debt. He must protest against such legislation, and he could not understand how a Bill like that could have passed the Committee on Railways. He thought the hon. Minister should make some explanation in answer to the question put by the hon. member for Ottawa.

MR. LAFLAMME said the answer had already been given. It was in the interests of the Canada Southern Railway that such an extension as that sought should be granted. To effect this extension, Parliament was asked, on behalf of the shareholders of the two amalgamated companies, to sanction a provision that their liability should not be affected, the Canada Southern being liable to a certain extent for the construction of the western portion of the line. Certainly, there was nothing in that to cause alarm.

MR. PALMER said that did not explain away the fact that the eastern portion of the railway company's property was to be held free from liabilities which the company might have incurred.

MR. LAFLAMME: That is a matter for the contractor. If he is satisfied with less security, what have we to do with it?

MR. PALMER said the company might contract debts with a farmer and other parties, and when payment is wanted it is found that there are no funds out of which payment can be made. That was the objectionable part of the measure.

MR. LAFLAMME: If my hon. friend builds a house, he does not become liable to all the workmen who are employed by the contractor.

MR. PALMER said he did not propose that the company should be liable except for what they agreed to in the contract. What he contended was, that no part of their property should be exempt from liability in case the contractor might have a just claim against them.

MR. LAFLAMME: Then, will not the hon. gentleman allow the company to make a contract?

MR. PALMER: Not unless the company is liable to pay for breach of contract.

MR. LAFLAMME: The hon. gentleman has as much right to interfere between the company and their contractor, as he has between private individuals. It will be for the persons who enter into an arrangement with the railway company to say if they have a proper security for payment of the work done or not. We are not obliged to legislate for them, or say we will exact such and such securities.

MR. BIGGAR: We will say that the Canada Central Railway is represented by one man who is worth a million of dollars, part of which consists of railway property. He wants to extend his road a hundred miles further, and he comes to this House and asks our consent, and yet, asks that his property is to be exempt from the liabilities which he may incur. I do not see what justice there is in such a proposal.

MR. MACKENZIE said he had not had an opportunity of being present at the Railway Committee when this Bill was being discussed, but, having paid some little attention to the remarks made by the hon. member for St. John, and the member for Ottawa, he had come to the conclusion that it was a matter of indifference whether

the clause was allowed to remain or not. The railway company would have a right to make what bargain they pleased with a contractor, and they might also exclude any portion of their property from being held as security for the performance of the contract. He believed they could do so whether the clause remained or not, and it was a matter of indifference, therefore, whether it should be adhered to.

MR. PALMER said that, though it might be perfectly true that a man could enter into a contract of this kind with his eyes open, no part of the company's property should be exempted from liability, unless for some very particular reason. If the clause was retained, the company, although they had a considerable portion of their property still in their possession, could refuse to pay a single dollar, on the ground that they had no funds.

MR. MACKENZIE said this referred to a specific contract already entered into, and it was merely provided that the company might, if they pleased, enter into an agreement with contractors by which a certain portion of their line might be exempted from being held as security.

MR. PALMER: You are wrong in that.

MR. MACKENZIE: That is how I read it, and reading it in that way makes me suggest that it is a matter of perfect indifference whether the section should be retained or not. The hon. gentleman said, a little time ago, that articles under this clause might be obtained from farmers and others along the line without payment being made. Now, there can be nothing of the kind, because the contractor will order everything himself. As the hon. gentleman is aware, few contractors are great simpletons, and they will be the best judges as to the security they want.

MR. PALMER said this was a vicious piece of legislation altogether.

MR. MACKENZIE said that at the most, the stipulation in question was mere surplusage. He quite understood the force of the hon. gentleman's

MR. MACKENZIE.

argument, but the Bill could not be considered in the general sense of tending to evil.

MR. LAFLAMME said the corporation stood in the position of an individual, and could make a contract under the ordinary conditions.

MR. GALBRAITH said the contractors might suffer in the interim; but there was only a contract in anticipation at present, and those parties who were likely to enter into a contract, would thoroughly understand the position in which this Bill placed them. The company would agree to pay them a certain amount in money and a certain amount in bonds of the company, per mile, for the construction of the road, and these contractors would understand that, besides the road they were making, they had no claim in any portion of the present constructed road until such time as their contract was completed, and the road was taken off their hands. The present contractors were not to be held in any way liable for the new portion of the road contracted for, and the company would have no liability on account of the new portion until it was finished and the contractors had been paid according to their original contract.

MR. PALMER said that the great difficulty was the length of time that might be taken in building a road. The Pacific road, for instance, might be in course of construction for twenty years. He did not see any object in this provision at all, because, as he had said before, if a man made a contract under that Bill, his agreement would be as chaff; the Company could do what it liked. They might enter into a contract for the building of the road, and although the work might go on to forty years, creditors would have no hold upon them, except as regarded the property that might be used in the construction of the road. Then the hon. gentleman said, with reference to corporations, that any corporation could come to this House and get power to do anything; but no corporation was allowed to start without having some capital, without having something over the contract.



MR. MACKENZIE: Any number.

MR. PALMER: Without anything at all?

MR. MACKENZIE: Yes, without a cent.

MR. PALMER: Then all I can say is that it is a most vicious state of legislation. If any company, whether for railway or other purposes, could work upon the credit of this country with any capital at all subscribed, I was, happily, ignorant of it. I hope the hon. gentleman will strike this out of his Bill. At present, the great evil of the country is that these corporations are incurring debts and liabilities, and yet their property is not liable.

MR. IRVING said he understood that under no circumstances would the company be responsible for the eastern section, and that the extension should not be made available by the builder or contractor of the western section until it had been accepted upon such terms as might be agreed upon between him and company. There was nothing involved in that. It was looked upon by the Committee as a safeguard to the public, that they might know the terms under which that section was being built; and surely there could be no objection to a provision that placed the company in a position to build the road, but shut out any person from any responsibility in respect to each contract, except the contractor himself, who would have his liability limited under the terms of his contract.

Bill ordered to be reported.

House resumed.

Bill reported.

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

### After Recess.

#### BEAUHARNOIS CANAL ENLARGEMENT.

##### QUESTION.

MR. ROBILLARD enquired, Whether it is the intention of the Government to cause the work connected with the repairing and enlargement of the Beau-

harnois Canal to be commenced next summer; and, if not, when such work will be begun?

MR. MACKENZIE: The Government do not propose to proceed with the St. Lawrence canals this year.

#### THE SUPREME AND EXCHEQUER COURT ACT.

##### QUESTION.

MR. MITCHELL, for Mr. McCARTHY, enquired, Whether it is the intention of the Government, during the present Session, to introduce a Bill to amend "The Supreme and Exchequer Court Act," by requiring that there should be four Terms or Sittings instead of two in each year?

MR. LAFLAMME: It is the intention of the Government.

#### RECOGNITION OF NATURALIZED GERMAN AND OTHER CANADIAN SUBJECTS.

##### QUESTION.

MR. YOUNG enquired, Whether any further despatches have been received from the Imperial Government in reply to the Address to Her Majesty, unanimously passed by the House of Commons in the Session of 1875, praying that naturalized Germans and other Canadian subjects of the British Crown may be recognized and protected in all parts of the world?

MR. MACKENZIE: The only reply received to that address was the despatch from Lord Carnarvon, published in the Sessional Papers of 1876, in which his Lordship stated that it was not possible, at that time, to make arrangements with the view of carrying out the views adopted by the House of Commons in its resolution and address. But his Lordship proposed, after the work of the Session was over, to take the matter up with the view of finding some solution. That has never been done, to our knowledge; at least, no despatch has been received from the Imperial authorities since that date. It is probable the attention of the Imperial Government will be drawn to this subject again by the Administration here.

WINTER COMMUNICATION WITH PRINCE  
EDWARD ISLAND.

QUESTION.

Mr. POPE (Queen's, P.E.I.) enquired, Whether it is the intention of the Government to take any steps this season towards the construction of a railway from the Intercolonial Railway, near Aulac, to Cape Tormentine in New Brunswick, and from Cape Traverse to the main line of railroad in Prince Edward Island, for the purpose of placing the Island in continuous communication in winter with the Intercolonial Railway system of the mainland of the Dominion, as required by the terms under which the Province of Prince Edward Island consented to become a part of the Dominion of Canada?

Mr. MACKENZIE: I must ask the hon. gentleman to expunge the latter paragraph: "As required by the terms under which the Province of Prince Edward Island consented to become a part of the Dominion of Canada." We can scarcely admit of an argument in a question. In reply, as a matter of course, after all that has been said and written about the success or non-success of establishing communication, the whole subject is under the consideration of the Government, with a view to the adoption of the best means possible, under the circumstances, of effecting that communication. I can hardly say more at present.

INTER-PROVINCIAL FERRY ON THE  
RESTIGOUCHE.

QUESTION.

Mr. HADDOW enquired, Whether a promise was at any time made by the Government to aid, by subsidy, the establishment of an Inter-Provincial Steam Ferry, between Campbellton and Cross Point, on the River Restigouche?

Mr. MACKENZIE: I cannot find that any promise of this kind has been made. I am not aware that it had been made by the late Administration. I am perfectly certain it was not made by the present one. There could be no object in making such promise,

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because all ferries of an inter-provincial character are regulated by public action. There may be special circumstances in this case, but I have not been able to find any communications between the Government and the local authorities, in the nature of a promise.

WHARF AT ST. ANNE, CHICOUTIMI.

QUESTION.

Mr. CIMON enquired, Whether it is the intention of the Government to build a wharf at St. Anne, in the county of Chicoutimi?

Mr. MACKENZIE: I am not able to answer that question at present. Some works have to be done in the neighbourhood, but what the precise nature of these works is, I cannot, at present, say.

EXPLORATION OF BIC AND PETIT  
MÉTIS HARBOURS.

QUESTION.

Mr. Fiset enquired, Whether it is the intention of the Government to complete the exploration of Bic Harbour, and also to cause an exploration to be made of Petit Métis Harbour?

Mr. MACKENZIE: The exploration of Bic Harbour was mostly concluded at a previous time. The western part has yet to be fully completed. It is our intention to complete that part this year, and also to make an examination of the Little Métis with a view to ascertain its capabilities to become a good harbour.

LONDON EMIGRATION AGENT.

MOTION FOR RETURN.

Mr. POPE moved for a detailed statement of the money paid out by the London Emigration Agent during the years 1876 and 1877, respectively, showing to whom paid, and for what service.

*Motion agreed to.*

INDIAN AGENT AT TOBIQUE RESERVE.

MOTION FOR CORRESPONDENCE.

Mr. COSTIGAN moved for copies of all correspondence between the Government and the Indians of Tobique

Reserve in New Brunswick, regarding the appointment of a resident Agent, and of all other correspondence bearing on that subject since 1873. He said that, about the year 1872, a change was made in the Province of New Brunswick by which, instead of local agents, the experiment was tried of appointing two general agents for New Brunswick, one of whom was appointed for the eastern, and the other for the western sections. Shortly afterwards, great dissatisfaction existed in his Province with regard to this change. He, in particular, called the attention of the Government to it, and succeeded in getting instructions sent to Mr. Spragg who was then, he believed, Superintendent of Indian Affairs, to appoint a local agent. He was satisfied that everything had been settled to the satisfaction of the parties interested, but on making further enquiries found, that Mr. Spraggs had, in the meantime, died, and matters remained in the same state. During that year, a change in the Government took place and Mr. Laird became Minister of the Interior, with, of course, control of the Indian affairs. He (Mr. Costigan) brought the matter under the notice of the Government by motion in the House. On that occasion, Mr. Laird stated he was not aware of the circumstances, but would enquire into them, and that, in all probability, he would visit the Province during the coming summer, and see that the grievances were redressed. The hon. gentleman did not come. At the next Session, he (Mr. Costigan) again brought the matter before the House. He pressed it again while the House was in Committee of Supply. The hon. the Minister of Marine and Fisheries said the matter would then be taken up by the Government. The matter had remained in the same condition, year after year. What he complained of was that, by the present arrangements there were certain Indian funds accumulated by certain small, very small, revenues in the Province of New Brunswick. Nine-tenths of the money derived from the Indian reserves all over the Province of New Brunswick was derived from this Tobique Indian

reserve. These Indians wanted a local agent; they petitioned for one five or six years ago, and had since renewed their petitions every year. They complained that the present agent lived at Fredericton, about one hundred miles from them, where he could not be consulted by them; that he drew, at the same time, some \$400 out of their monies to pay his salary, and was entitled, besides, to travelling expenses, and that this was unfair to them as it absorbed a large amount of their very small revenue; while they could get a responsible man, one in whom they could have every confidence, living on the reserve himself, who would perform the whole service for about one hundred dollars per year. Besides this, the Government had deemed it wise to give permits to cut lumber upon this reserve. This permission was a wise one, because it was better this timber should be cut, as if not cut in this way and revenue derived from it, it would be destroyed by fires, the country being settled around this reservation. With regard to stump work, parties had got licenses to cut lumber on this reserve, on payment of \$1 per thousand logs. The inconvenience of the agent living at Fredericton was plainly shown that when he came to collect stumpage, his travelling expenses amounted to ninety cents per thousand logs; in fact, doubling the stumpage. The whole complaint of the Indians was this: they believed the Government was their protector, that the Government had control of their property and were to give them an agent to look after them, whom they could consult. That agent lived a hundred miles away. The Indians said: give us an agent residing upon the Indian reserve, whom you could appoint for one hundred dollars per year, which would save \$300 out of our fund, and give us an agent to whom we might apply in case of necessity. The Indians had a tract of land cleared on this reserve. The white settlers who were granted lands on this same reservation, and were included in the district or parish, passed certain regulations with regard to their lands, the result of which was that their cattle were allowed to run

and destroy the crops of the Indian settlers. The result was, they had turned this cleared tract of the Indian into a common. He could see no objection to the Government appointing a resident agent at a salary of \$100. The Indians had recommended an agent who, he was certain, would give every satisfaction. The Government had said last year they did not care to displace an officer. He did not desire that Mr. Fisher, who was the present Indian agent in that section of the Province, should be dismissed, but that he should continue to discharge his duty within reasonable distance of the reserve, so that he might not be in a position to eat up the small revenue of the Indians in travelling around the country, when a resident agent could be found who would have no travelling expenses to pay. The Indians had sent in petitions signed by all members of the tribe in the vicinity, asking that that small favour might be granted. His object in moving for the papers was to place the facts before the country and submit the case fairly before the Government, and ask them to give it their serious consideration with a view to satisfying the demands of those people.

Mr. MILLS: The subject has received consideration. I have looked into the application of the Indians and the representations made by the hon. gentleman, and as soon as the Session is over I have no doubt whatever I shall be able to deal with it in a manner satisfactory to the hon. member.

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

#### THE CASE OF SERGEANT HART.

##### MOTION FOR CORRESPONDENCE.

Mr. COSTIGAN moved for copies of all correspondence between the Government and L. Hart, R.E., regarding his appointment as Drill Instructor under Lieutenant-Colonel Scoble, and his subsequent dismissal; also of all other correspondence relating thereto, and to the complaint of Sergeant Hart on account of loss sustained by said dismissal and otherwise. He said in submitting to the House his reasons for moving for the papers, he could not adopt a better course than to read ex-

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tracts from papers which had been placed in his hands. The gentleman who complained of having sustained loss from being dismissed from office improperly made the following statement:—

“I came to this country in May, 1875, having been discharged at Bermuda from the corps of Royal Engineers, after serving 21 years and 2 months, and failed to find employment till November of the same year, when I was informed at the Pension Office in Toronto that a certain Col. Scoble was about to raise a corps of engineers, and had been making enquiries for such a person as I, for the purpose of being instructor, etc., to the proposed new corps. I, therefore, went to see the Colonel, who then and there engaged me at a salary of \$300 a year, and a house, rent free, with a promise to obtain me a civil situation as well, at two and a-half, or two dollars, at least, a day, in addition to my military appointment, and giving me to understand that he had the necessary authority, and would commence operations forthwith; but, this, I soon learned was not the case, and that he was only negotiating for authority at the time, instead of having it, as he gave me reason to believe he had. This was deception number one, to begin with, and three months elapsed before the necessary authority was eventually given to form the corps; and, in the meantime, I understood from him that I was to receive pay from the time of my engagement with him, as the delay was no fault of mine. The corps was not organized till the 15th January, 1876, and on the 19th, Col. Scoble requested me to write him a letter asking for the appointment of Instructor, in order that he might have something to show as a basis on which to ground an application he was about to make to the Government for \$200 a year towards the payment of my salary of \$300. This I readily agreed to do, never for a moment thinking that it would afterwards be construed to mean that I had not had the appointment previous to that date, but simply as a guarantee to the Government that Col. S. was acting in good faith, and that he really had engaged me as Instructor, and, moreover, though the original compact between us was only a verbal one, I never doubted that a person holding rank as a Colonel could be other than a gentleman. \* \* \* So much did I depend on the Colonel's promises that I refused a situation, at \$40 a month, as night watchman, and, of course, among other matters, had great cause to regret having done so. I wish it to be carefully noted that the fact of the Colonel applying to the Government for the \$200 had nothing whatever to do with me, for, whether he succeeded in getting it or not, he would, according to our agreement, have to pay me, it being with him I made the contract. Eventually, the Colonel got me into the office he was in himself, at a salary of only \$250 a year, instead of what he originally promised

me, still leading me on to believe that it was only temporary; but, finding that the position was unsuitable in every way, and that, in vulgar parlance, he was only hoaxing me, I resigned—not from the corps, as he engaged me for three years, but from the civil appointment. After the lapse of fifteen months from the time of my engagement, things continued to be in a very unsatisfactory state, I only having received \$180 out of \$375, and this mostly from other officers of the corps, instead of from Col. S., as commanding officer.”

Mr. Hart made the following statement in regard to the manner in which he was dismissed:—

“When His Excellency the Governor-General visited Toronto in January, 1877, the engineer corps was detailed to furnish a guard of honour for the occasion, and an orderly for His Excellency, if one was required, and, as I was out of civil employment at the time, Col. S. asked me if I would be orderly—my position on the staff either as Sergeant-major or Instructor, exempting me from the performance of such duties—to which I replied that I would on his letting me know if I was wanted. I accordingly made arrangements for performing this duty, and, sooth to say, felt rather proud of the honour, though I had never been orderly in my life before, being mostly on the staff in the Imperial service; and, in order to be sure there would be no mistake, I remained in my quarters for two days, expecting the order to arrive every moment for me to go on duty, but when it did not come in that time, I concluded that I was not needed, and felt rather disappointed at such being the case. However, after the lapse of more than a week, I found out that my services had been required, and that, moreover, Col. S. had been duly notified of the fact, but had neglected to let me know, as per arrangement, and, in order to cover this dereliction of duty on his part, but more, perhaps, to find some excuse for getting rid of me, he placed me ‘in arrest,’ as he termed it, notwithstanding that he had no authority to do so, and, finally, he dismissed me from the corps for ‘disobedience of orders.’ On finding that matters were being conducted in my case in anything but a military fashion, I applied in the proper way to the proper authorities for redress, or at least an investigation, as I treated the arrest as though it had been a legal one, and failed to obtain it.

The complaint of Mr. Hart was that he was employed by Col. Scoble to perform certain services; that he did perform them; that he was competent to perform them; and, notwithstanding that fact, he was dismissed. Ample proof of his qualification was afforded by the following certificate, which he presented:—

“1st Newcastle-on-Tyne }  
“Engineer Volunteers.”

“HEAD-QUARTERS, ELSWICK,  
“5th February, 1865.

“I hereby bear testimony to the character and abilities of Sergt. L. Hart, R. E., Instructor to this corps under my command. Sergt. Hart has held this appointment for the last seven years, and I cannot speak too highly of his zeal, energy and tact. He possesses qualities eminently suited to the instruction and guidance of Volunteers. His abilities are good and practical, and he is esteemed and respected by the officers and members of this corps.

(Signed.) “PERCY WESTMACOTT.  
“Comd. 1st N. E. Volunteers.”

That certificate would be all that was necessary to establish his character for efficiency in the position he held as Instructor in the Province of Ontario. Mr. Hart complained that he did not receive the pay to which he was entitled; that he was dismissed from the service in an improper manner; that he agreed with Col. Scoble to perform a certain duty in connection with His Excellency’s visit to Toronto at that time; that he was prepared to discharge that duty; that Col. Scoble acted as if he had refused to perform it, and made that the ground of his discharge. That statement might not be all true, but there must be some tribunal to which Mr. Hart could appeal and obtain justice. He had applied to the Deputy Adjutant-General; he had petitioned His Excellency, and now he appealed to Parliament. At all events, he hoped the hon. Minister of Militia would point out some course which might be taken to obtain redress in the present case. It would be a very unsatisfactory position if a militia officer could engage a drill instructor for one, two or three years, and afterwards refuse to pay him his full salary and no means of redress be open to the person so engaged.

MR. JONES (Halifax) said of course the papers would be brought down in due time. The hon. member had, however, hardly understood the regulations of the department under which the money was appropriated, and under which Sergeant Hart was presumed to have made an engagement with Col. Scoble. The hon. gentleman must bear in mind that the amount paid to commanding

officers of corps was entirely at their own disposal, and that commanding officers who made engagements with suitable persons for the instruction of their corps paid them that sum according to the regulations; but they had, at the same time, the authority, if the persons engaged did not suit, and were not in their estimation fit for the duties they had undertaken to perform, or if they did not work with the commanding officer so as to conduce to that harmony in the corps which was necessary under the Militia Act, to dispense with the services of the instructor. That was the case in the particular instance to which the hon. member had referred, and he would, therefore, readily perceive that it would be impossible for the Government or the Militia Department in any way to take cognizance of the claim, which was one between the colonel of the regiment and Serjeant Hart. So long as the colonel furnished satisfactory proof that he had expended the money which the Government had entrusted to him for that purpose, he had discharged his duty as far as the Department was concerned. If a commanding officer made an arrangement with another party, which was afterwards cancelled on the ground that the duties were not discharged to the officer's satisfaction, that was a matter over which the Militia Department could have no control; and that was the case, he believed, in the present instance. Colonel Scoble only exercised the power given to him under the Militia Act when he dispensed with the services of Sergeant Hart.

MR. MASSON said the hon. Minister had laid down a very dangerous principle for the maintainance of the Militia force when he stated, that an arrangement might be made by a commanding officer and neither the Government nor Militia Department had anything to do with it. He submitted whether it was not the duty of the Government in such cases to take an interest in the matter, and do as was done in England: whenever an officer made an engagement he was obliged to carry it out as a matter of honour. If, after enquiry it appeared that Sergeant Hart had been led astray by the action

of a colonel of a regiment, the Government had a right to interfere, indeed, it was their duty to do so, and see that the officer did justice to the instructor. If that were not done, the Militia force was placed at a great disadvantage. Another point was whether a colonel could dismiss a drill instructor without any enquiry being held. The Militia Department should adopt measures to ascertain whether the colonel had acted in a proper manner towards the instructor, and if not, the Ministers should exercise the influence of his office to obtain redress for the party injured, otherwise the whole system was worthless.

MR. JONES said he meant to say that the Government did not and could not hold themselves responsible for every engagement made by a commanding officer with a drill instructor. All they had to do was to see that the money voted was appropriated for the purpose mentioned. Of course, if any question arose in this relation, and complaint was made to the Department, it would be investigated and remedied; but, at the same time, the hon. gentleman would see the difficulty in which the Department would be placed if it was held responsible for every engagement made between the commanding officer and a person he might suppose to be a competent instructor and who turned out not to be so. As to the other point: as the hon. gentleman was aware, the position of non-commissioned officers in the corps was one relating to regimental discipline, with which the Department was not always called on to deal.

MR. MASSON: Was a court of enquiry appointed?

MR. JONES: I think there was.

MR. MASSON: Can the hon. gentleman tell us the result?

MR. JONES: I cannot.

MR. MASSON: Will the hon. gentleman be able soon to tell us what it was?

MR. JONES: Yes.

MR. MASSON: That will settle the whole matter. I am sure that what

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the court of enquiry may have done will be right.

MR. COSTIGAN said he regretted that the position was taken that the Department had no control over a commanding officer with regard to the dismissal of a drill instructor. This left no guarantee at all to gentlemen who might come to this country, or were in it, with reference to any engagement they might make with a commanding officer. The hon. Minister of Militia said that the Department was bound to see that the money voted for drill purposes was properly expended. One portion of this complaint certainly showed, if it was substantiated, that these moneys had not been properly expended. He mentioned that the moneys appropriated for that purpose had not gone to him; and even on this point, he (Mr. Costigan) thought that they were entitled to an enquiry, as he believed the hon. gentleman would himself admit. It was complained that moneys which ought to have been paid, had not been paid to him; they did not reach the parties for whom they were intended, and this person did not get the benefit of the grant made for the purposes of drill instruction. Col. Scoble had drawn moneys in this regard often. This gentleman was dismissed, though no successor was appointed to instruct the corps, which had remained without any instructor. This was a portion of the complaint.

*Motion agreed to.*

#### QUEBEC CULLER'S OFFICE.

##### MOTION FOR CORRESPONDENCE.

MR. TASCHEREAU moved for copies of correspondence between the Government and John Giblin, of Quebec, in relation to the lease of the house now occupied as the Culler's Office at Quebec; also of all leases between the Government and the said John Giblin.

*Motion agreed to.*

#### NANAIMO AND NEW WESTMINSTER MAIL SERVICE.

##### MOTION FOR CORRESPONDENCE.

MR. BUNSTER, for Mr. DEWDNEY, moved for copies of any correspondence or petitions with reference to

the establishment of a mail service between Nanaimo and New Westminster. He said that this service was at present in a very bad condition. The Government knew that the cable had broken twice in each year. The present cable was laid from Nanaimo to the next point across the route, as being much shorter, and it had lasted a great deal longer; and this, thereby, gave to the town of Nanaimo—a town of 2,500 inhabitants—telegraphic communication which it did not now have, and from there down along to Victoria. They had communicated with the Government on several occasions about this matter, and they were in hopes that a sum would be placed in the Supplementary Estimates towards providing the telegraph communication, which was absolutely necessary. They would then be able to be in constant communication with Ottawa, whereas they had now been without telegraphic communication for over a month. He hoped that this matter would receive the serious consideration of the Government.

MR. HUNTINGTON: The application necessary for this service was made as far back, I think, as 1876, and the Government would have been, and would still be very glad to meet the views of those who prayed for this service, but the only embarrassment which has induced us to wait, before arriving at a conclusion, is because the Inspector reports that the cost of it would be \$35 a trip, while the entire revenue would be only \$35 a year.

*Motion agreed to.*

#### ROYAL NAVY CADETS.

##### MOTION FOR ADDRESS.

MR. BUNSTER moved for a return showing: 1st. The number, if any, of cadets nominated annually to the Royal Navy, by the colonies of the Empire, and what proportion is nominated by the Dominion of Canada and the several Provinces thereof. 2nd. The names of such cadets as have been nominated to Her Majesty's Royal Navy by Canada since the 1st July, 1867, such return to exhibit the proportion coming from each of the several Provinces

of the Dominion, and the total number to which Canada is entitled to nominate. He said he considered this an important matter. His attention had been drawn, before he came to Ottawa this Session, to the fact that each Province should be enabled to send a few of its young men to serve in the Royal Navy. A great many of H. M. ships visited Esquimalt; and application, in this regard, had been made, but unsuccessfully. Other young men who were more influential obtained the positions, and he thought that the attention of the Government should be directed to this question. He noticed that when even the Governor-General was appointed in this country, there were many young Canadians who could have well have filled the place if they only had had the same advantages that they would have if our young men had the opportunity of entering the navy.

MR. MACKENZIE: I am not aware whether any colony has a right to nominate cadets to the Royal Navy. The Dominion certainly is not entitled to make any such nomination, and no attempt has been made, that I am aware of, to make any such nominations. The motion may pass; and, if any information can be obtained respecting other colonies, it will, of course, be furnished. But I do not think that we have anything to do with that in Canada, and I know no reason why we should ask such a thing. We pay no money towards the maintenance of the Royal Navy; we do not contribute, in any way, to the expenses connected with it; and, therefore, there is no reason why we should claim a voice in filling offices in the Navy.

SIR JOHN A. MACDONALD: The fact, no doubt, is as my hon. friend states, but there are a certain number of cadetships given, I suppose, by the grace of Her Majesty's Government, to the trainingships, for the purpose of enabling young gentlemen who wish to enter as cadets on the training ships attached to Her Majesty's Navy, and, after being educated there—I dare say that the *Britannica* is still there—they pass the examination, and get their certificates. There was a certain number of cadetships granted to Canada.

MR. BUNSTER.

MR. MACKENZIE: I never heard of it; none have occurred in my time.

SIR JOHN A. MACDONALD: That is very singular—really, in our time it was done; and the matter was under consideration annually. I think there were four. I suppose that His Excellency the Governor-General, with whom this rests, has the power of giving them to whom he likes; but the Governors-General had always been in the habit of speaking to me about them, and, I do not think that it has been discontinued.

MR. MACKENZIE: I may possibly be mistaken, but I think not; I think that I never heard of it.

Motion agreed to.

#### PETITIONS OF RIGHT.

##### MOTION FOR RETURN.

MR. TASCHEREAU moved for a return of all Petitions of Right transmitted to the Secretary of State since the passing of the "Petition of Right Act, 1876," showing the names of supplicants, the amount and nature of each claim, in what cases His Excellency's *fiat* that right be done to the parties was granted, and in what cases refused. He said that he would like to draw the attention of the Minister of Justice to two points which had been the subject of discussion among the members of the legal profession. The first related to the granting of the *fiat* by His Excellency the Governor-General, regarding the question in what cases it should be granted, and, as a matter of course, in what refused; and, secondly, as to the petitions of right, based on claims against the late Province of Canada before Confederation. It was well known that, by section 111 of the British North America Act, Canada was made liable for the debts and liabilities of each Province existing at the time of Union. It had been the practice, he believed, of the Minister of Justice, heretofore, to refer petitions of right, founded on claims made against any Province existing before Confederation, to the Government of the Province concerned, and to suspend the granting of the *fiat* until



the Local Government had given an answer. He believed that the pretension that the Local Government should be consulted before the granting of the *fiat*, was one that could not be maintained. The proper time for this was when the *fiat* had been granted. The Federal Government was then quite justified in applying to the Local Government for instructions to defend or admit the claim. It had been laid down, he thought, by the hon. member for South Bruce, while Minister of Justice in 1873, that an officer of the Crown could refuse a *fiat* when a petition of right was not plainly shown to be a just one. Such, also, was the rule in England, and he thought it should be adhered to by the present Minister of Justice. The Dominion Act did not confer a new right; it merely established a Court in Canada where suits brought by subjects against the Crown might be determined. In this respect the Dominion Act was the same in effect as the English law passed in 1865 or 1866. If he might be allowed to quote from Blackstone, he would take the following from volume 1 of his Commentaries, page 237 :

"Are then, it may be asked, the subjects of England totally destitute of remedy in case the Crown should invade their rights, either by private injuries, or public oppressions? To this we may answer that the law has provided a remedy in both cases. And, first, as to private injuries, if any person has, in point of property, a just demand upon the Crown, he must petition him in a Court of Chancery, where his Chancellor will administer right, as a matter of grace, though not upon compulsion."

Then Allen, in his work on the Royal Prerogative, at page 7, said :

"The King, it is true, can do no wrong, and is not amenable to any earthly tribunal; but, on the other hand, he can perform no one political act without an adviser, responsible for the same. He cannot be sued in a Court of Law; but, if any one has a demand against him in point of property, a petition or plea of right is due to the claimant, through which justice will be obtained with as much certainty and despatch as in actions between man and man."

Then, at page 94, the same authority said :

"The King of England cannot be sued in a Court of law; but, if any one has a demand upon him in point of property, the

plaintiff has only to petition him for redress in the Courts of Chancery or Exchequer; and in having the Attorney-General's *fiat*, which ought to be given, of course, he will have justice administered to him with as much certainty and despatch as if he had brought an action against a subject. The plaintiff indeed will be told that he receives justice from the King as a matter of grace and not of compulsion, and he must pray for it and accept it on these terms. But while the favour he receives is one that cannot be withheld from him, it is to all essential purposes a right; and the mode of obtaining it can be considered as nothing more than an unmeaning compliment to the legal fiction it disregards and eludes. The rule that the King of England cannot be sued in a Court of law is founded on his sovereign and transcendent, that is, on his ideal attributes. No suit, say the lawyers, can be brought against him, because no Court can have jurisdiction over him. 'Who,' exclaims Finch, in a burst of loyalty, 'shall command the King?' If this reasoning be just, and it seems unanswerable—if it be the want of a coercive jurisdiction over the King that makes it impossible for any suit or action to be brought against him; it follows, that while he was liable to actions like a common person, there must have been some authority in the state, that possessed, or was supposed to possess, a legal control over his conduct. It cannot be supposed that, while the law permitted him to be sued, it held that judgment, if given against him, must remain without effect, unless it was his will and pleasure to submit to the decision of his judges. Accordingly, we find that, in early times, there was a vague notion, even among lawyers, of some legal and constitutional power in the state that had authority to command even the King. Something was still wanting in the theory of our constitution. To reconcile the absolute sovereignty of the ideal king with the limited authority of his representative in earth, it was necessary to exempt the real king from direct control, but to render it impossible for him to execute any of his royal functions without responsible Ministers and advisers. By this device the theory of our Government was made coherent and complete without danger to the public or injury to the subject. Before the reign of Edward I, the King of England might have sued as a common person. In the Year Books, of the time of Edward III, it is stated more than once by the Judges that in former times the King might be sued like one of the people, and that the practice of applying to him by petition was introduced by an ordinance of Edward I."

In Broom's Legal Maxims, page 58, he found the following :

"With respect to injuries to the right of property, these can scarcely be committed by the Crown, except through the medium of its agents, and by misinformation or inadvertency, and the law has furnished the

subject with a decent and respectful mode of terminating the invasion of his rights, by informing the king of the true state of the matter in dispute, viz., by Petition of Right; a remedy which is open to the subject where his land, goods or money have found their way into the possession of the Crown, and the purpose of the petition is to obtain restitution or, if restitution cannot be given, compensation in money, where the claim arises out of a contract as for goods supplied to the Crown or to the Public Service. If, for instance, a legacy is claimed under the will of a deceased sovereign, it seems that the only course to be pursued by the claimant, for the recovery of such legacy, is by Petition of Right to the grace and favour of the reigning sovereign. 'Is there any reason,' said Lord Langdale, in a modern case, why a Petition of Right might not have been prevented? I am far from thinking that it is competent to the King, or rather to his responsible advisers, to refuse capriciously to put into a due course of investigation any proper question raised on a Petition of Right. The form of the application being, as it is said, to the grace and favour of the King, affords no foundation for any such suggestion."

But in a still more recent case the *Eastern Archipelago Company v. The Queen*, reported in volume 2. Ellis and Blackburn's reports of the Queen's Bench and Exchequer Courts, Chief Justice Jervis said :

"Indeed, in the somewhat analogous case of a Petition of Right, it has of late years been the practice at the Home Office, under great authority, to endorse 'let right be done' as a matter of course, without even referring the case to the Attorney-General."

Although the English, as well as our own Act had changed, the principle remained the same. He was informed that, since the passing of the last Act, many petitions which had been transmitted to the Secretary of State had been referred in conformity with the rules so well given by the hon. the member for South Bruce in 1876, and he hoped it would be seen, when the papers sought for came down, that the officers of the Crown had done wisely. With these remarks he would leave the motion in the hands of Mr. Speaker, contenting himself with drawing the attention of the Minister of Justice to the two points he had referred to.

Mr. LAFLAMME said that the rule followed by the Department of Justice was exactly the same as that followed in England. No

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Petition of Right well substantiated had ever been refused a *fiat*. It was only in such cases where there was no just claim that a *fiat* was refused, for this principle had been maintained that such a *fiat* could not be claimed as an absolute right, but lay within the discretion of the Crown on the merits of the case being investigated. It was only right that if a person had no just right to institute an action against the Crown, he should not be entitled to obtain a *fiat*. One class of cases had certainly given rise to some consideration on the part of the Government, he meant the claims which existed against the former Administration of Canada, and claims which would have reflected against the former Provinces of Ontario and Quebec. It was thought desirable by the Government not to grant a Petition of Right unless these cases were submitted to them.

SIR JOHN A. MACDONALD said the rule laid down by his hon. friend, the member for South Bruce, was a correct one—that no petition of right should be refused unless a legitimate claim against the Crown could not be shown. The hon. the Minister of Justice, however, said the practice of his department had been to grant a *fiat* in all cases where the statement of the petitioners was fully exposed and substantiated. He did not think the Government had anything to with the matter; it was entirely under the jurisdiction of the Crown, which would act on the report of the Attorney-General. It was not a matter of governmental policy, but a law of the Crown, and if it was shown by its legal adviser that the claim was a just one, it would be granted as a matter of course. No doubt a person in the colonies had a right to present a Petition of Right before the passing of these Acts, as explained by the hon. member for South Bruce. The only difficulty was the carrying of a petition through its stages. A late Governor-General of Canada, who had been Governor of another Colony—New South Wales—on one occasion told him (Sir John) that he had received a despatch from the Colonial Office in which it was stated that the English Government could not imagine a case where a *fiat* would

be refused if anything like a proper claim was set forth in the petition.

MR. BLAKE said the principle he ventured to lay down during his tenure of office was the one found in the Bill. There were cases in which he was of opinion that a demurrer would be successful. Still he gave parties the opportunity of ascertaining whether that view was correct. In a reference to the particular class of cases to which attention had been drawn, no doubt they were in a different position. The argument taken was based upon the report of the Minister of Justice and an Order in Council was passed laying down the general course of action in reference to that class of cases. It would be remembered that by virtue of the Confederation Act, claimants of that class would have no direct claim against the Dominion, but for simplicity and convenience the liability against the Provinces was assumed by Canada, and Canada was to be recouped by the various Provinces; in a word, she was to be the medium for settling these claims, and she was not to be a loser, because she was not substantially interested. They had to deal with claims that had been at least ten years in abeyance, and others were presented to them of the most flimsy character; however, wherever they could make out that a debt was due, the Dominion assumed the responsibility of paying. The Dominion had no interest to protect; the revenues of Canada were not to suffer; she only assumed for convenience the responsibility to pay and then charged the claims discharged by her to the several Provinces. Where these claims were disputable they were referred to the Provinces out of which they arose, but before the passing of this Act they had no machinery for obtaining proper legal redress. These claimants, as claimants against the whole Province, had no means of suing in the Courts of law. It was true they ought to have had the petition right; they had not had it, however, because they had no machinery to make it available. It was right to call for such a machinery, and the need of it caused the Bill to pass. Practically these claimants had never before possessed the means of suing in the

Courts provided for them. The Bill, too, acted as a reasonable check in reference to the old claims against the Provinces; some of these cases were twenty years old, and had the money to come out of the pockets of Canada he might have been disposed to advise a different course. But he thought the Provinces ought to be consulted, and he might add his own opinion that he thought they would be. However, the general course of action was not intended to be unchangeable, but that it should always be in the power of the Government to grant the *fiat*, and if he was not incorrectly informed, one case had occurred since he left office in which, notwithstanding the representations of the Provincial Government, a *fiat* had been granted.

MR. TASCHEREAU said he wished to be well understood in what he stated as to the second point. He had no objection to the Local Government being consulted in regard to the granting of the *fiat*, but he objected to the granting of the *fiat* being made dependent upon their consent.

*Motion agreed to.*

#### CASES IN EXCHEQUER COURT.

##### MOTION FOR RETURN.

MR. TASCHEREAU moved for return of all cases instituted in the Exchequer Court of Canada since its creation, shewing the names of parties, nature and amount of each claim, nature of proceeding (whether by Petition of Right or otherwise) and indicating separately the cases disposed of by the said Court, and those yet pending.

*Motion agreed to.*

#### CASES IN SUPREME COURT.

##### MOTION FOR RETURNS.

MR. TASCHEREAU moved for return of all appeals instituted before the Supreme Court of Canada since its creation, shewing the names of parties, the Court from whose judgment each appeal has been brought, and indicating the cases already disposed of by the said Supreme Court (whether by confirmation or reversal) and the cases yet pending.

*Motion agreed to.*

## CASCUMPEC HARBOUR.

## MOTION FOR ENGINEER'S REPORT.

MR. PERRY moved for copy of Survey and Report made by Henry F. Perley, Esquire, Engineer, in 1874, with the view of improving the navigation of Cascumpec Harbour, in Prince Edward Island, making it a better harbour of refuge. He desired to say that the harbour was the only one for many miles along the coast, and some years ago there was twenty-one feet of water on the upper bar; but the tide had worn a gap in the bar through which the sand had been washed, and the result was that the water was too low. In his recollection the water had been of sufficient depth to accommodate large ships, but it had diminished to eleven or twelve feet. There was also a lower stone bar or rock inside this bar, about half way between the mouth of the harbour and the wharf, and he found on close examination, and upon the information which he had collected, that there was sufficient room to shelter a number of large vessels between those two bars, if the water was of sufficient depth. His impression, and the impressions of others to whom he had spoken upon the subject was, that the opening of the gap before mentioned, and a second gap, was the reason why the sand had collected on the bar, and it appeared to him that if these gaps were closed that the harbour would in a short time have the same depth of water as the outer bar and as it had years ago. There were many large vessels belonging to Cascumpec, but they were not able to load in the harbour, but had to go outside and run the risk of loading on the shore, and two or three vessels had been lost in consequence. He understood the engineer had reported that these gaps should be closed and the rocks blown up as well. He believed the estimated cost was very large, but the largest amount was for blasting the rock, which he contended was not required at present. The closing of the two gaps would be a sufficient remedy. Since the survey of 1874-5 the people had been led to believe from year to year, from the explanations given by the Minister of Public Works, that the works would be executed, but

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he found that there was no sum in the Estimates which would warrant his believing that the Government intended to carry out the recommendation of the engineer. It certainly was a work very much required by the people of that locality. He hoped that if the Government could not carry out the whole of the engineer's recommendation that they would be prepared to close one of the gaps to the main harbour, which would not cost over \$8,000 or \$10,000. That being closed, they would see whether the water would keep on the upper bar, and then it would be an after consideration whether it would be well to shut the outer gap. He thought they should get a second report upon the subject, in order to ascertain if it was not feasible to postpone the blasting of the rock.

MR. POPE (Queen's, P.E.I.) said he was very glad this subject had been brought forward, as it was a very important one to the people of that Province, and to the trade of the country. He thought the hon. gentleman's (Mr. Perry's) constituents, however, after the large promises that had been made to them, would expect a little more than the hon. gentleman had asked, for they had a right to expect that he would use his influence with the Minister of Public Works and obtain a vote for this harbour. Last year, they applied for similar works, and the answer was, that the intention of the Government was to first consider the more important harbour of Prince Edward Island, and, afterwards, to carry out similar works at this point. With the exception of Malpeque harbour, this of Cascumpec was the only one for miles along the coast.

MR. MACKENZIE: What about St. Peter's dock?

MR. POPE said that was no harbour at all; it was only fit for small steamers. No vessel of over fifty or sixty tons could enter. Cascumpec was the only harbour of any importance on the whole length of Prince Edward Island, and in former years there were seventeen feet of water on the outer bar, a depth quite sufficient, but there was a large bay inside, some six or eight miles across, into which, by the motion of the water, a

large quantity of sand was washed. If there were three or four outlets made to this bay, the sand would be washed out, and they would get a good depth of water. At present, vessels drawing nine feet could scarcely get over it. He had a vessel, only drawing ten feet, which had to wait two high tides before she could get out. Years ago, vessels ran to that harbour for shelter, but now, the water was so shallow, that not above three or four vessels a year sheltered there. The whole of the trade of that district had been destroyed, ships had been lost there and all hands drowned, within the last few years, and something should certainly be done for this harbour. He thought that if the hon. gentleman (Mr. Perry) had used the diligence he might have used, and brought his influence to bear on the Government, something might have been done. Nothing had been done to the Province since it joined the Dominion, except a very small work at Souris.

Mr. MACKENZIE said there was no objection to the adoption of the motion, but the hon. gentleman opposite (Mr. Pope) had not realized the difficulties the engineer had realized. He did not recollect the exact figures, but he believed the estimate for closing one gap was something like \$10,000. This was a very serious expense to incur at the present time, although he quite admitted the necessity of the work in order to provide a refuge for shipping. At the same time, the difficulties were most formidable. There were all the materials for a good harbour, but, if the engineer was right in his estimate, this was a very serious undertaking; and with regard to those estimates, if the Engineer was under the mark, it was the first time. His estimates were generally tolerably correct, but the actual cost was always a little over, rather than under the amount required. The representations made by the members for Prince County, respecting the nature of the outer bar, and the nature of the sand stone comprising the inner bar, had led him to desire some experiments made to the effect of moving part of the outer bar

if possible, and, at all events to ascertain with some exactitude the real character of the difficulties that had to be encountered. The difficulty he supposed, was principally the sand, which drifted into the bay, and, from the information of mariners, he learnt that dredging would be of little use. He was not aware if the hon. gentleman opposite had that opinion.

MR. POPE: I believe dredging would not be of the slightest use. In a storm the sand is a complete quicksand, and a bad storm will often change the channel entirely.

MR. MACKENZIE said this agreed with the opinions he had received. At all events, the Government were giving attention to the subject. They were only deterred for the present by the enormous expense, and hoped some less costly means would be found available.

*Motion agreed to.*

#### FENCES ON PRINCE EDWARD ISLAND RAILWAY.

##### MOTION FOR CORRESPONDENCE.

MR. PERRY moved for papers and correspondence between the Superintendent of Prince Edward Island Railroad and the Department of Public Works, shewing how many miles of wire fence have been taken down and replaced by post and batten fence, and the cost of the same. He said his attention was drawn to this matter by referring to the Public Accounts, in which he saw an item last year for building a fence on the P. E. Island Railroad, of some \$40,000. He did not know how much it cost to rebuild the same last year. The Railway Act passed by the Island Government provided that the fence be built of posts and boards. The contracts was let to subcontractors to build the fence according to law. Shortly afterwards a wire fence was substituted for the board fence, which wire fence was built and proved worthless. The Government had since rebuilt the most of it, at a cost, he had no doubt, when papers were brought down, of \$150,000 or \$200,000. It appeared to him the Island was charged, in the expenses of the Prince Edward's Island Railroad, with the

cost of building this fence, which, in his opinion, ought to have been taken from the ordinary expenses of working the road. It was simply owing to the mismanagement of the old Government in not getting this fence in accordance with the law, but merely by Order-in-Council. He did not know how the Dominion Government managed to take that fence from the contractors, because it was never built in accordance with the law. It was a gross fraud—not a fence at all. It had been condemned, with the exception of a few miles; he had a lot of letters in his desk, asking him to endeavour to induce the Government to have the remainder destroyed and replaced with a fence of posts and boards, to prevent the cattle from breaking through, as they did at present, and running the danger of being killed. He was anxious the inhabitants of the Island should know how much of their money had been squandered in allowing this wire fence to be built.

MR. POPE (Queen's, P. E. I.) said when the road had been contracted for, there was to have been a post and batten fence placed along the line. The engineer recommended to the Government the erection of a wire fence, for the reason that a board and batten fence would gather the snow, and the cost of shovelling would be very heavy, and a wire would, moreover, be the more durable of the two. The plan was shown to the Executive Council, and an Order-in-Council was passed. When the change of Government took place, nothing had been paid on account of the wire. When the wire arrived, everybody saw it was too small; however, the head of the new Executive Council took samples of it, had them tested, and reported the wire was strong enough for the purpose. The fence was built, and proved too weak, the cattle breaking through it everywhere. A great political cry was then raised, and a good deal of capital made out of this. He might say the hon. gentleman supported the Government and its action throughout. When this road came under the charge of the Dominion Government, it was his opinion that if they had obtained two additional wires

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equal to the top wire in that fence, for \$10,000 at the outside, a good fence could have been made and kept in repair at a small expense; instead of which they neglected the fence, and the people along the road were continually annoyed by cattle coming into their fields and destroying large portions of their crops. At last it was undertaken to replace the wire fence, and, he might say, a worse board fence was never put up than the one substituted for this wire fence. It was badly built, the posts were small, and nearly all that was put up last year had been taken down again. When the winter came this fence was laid on the ground, and in the spring there was nothing to prevent cattle going over the line. Putting up this fence and taking it down had been, and would be, a very great expense to the Government. Cattle had been killed by the score, and there was no fence up, except for a half mile here and there through the woods, where jobs had been given to supporters of the Administration, and which proved only to be traps for cattle. He might say further that, at the western end, the principal fence had been rebuilt of wire, and it was the most substantial fence they had. Instead of putting new single posts they took old spruce sleepers, which they put down as posts for part of the distance, and that was now the best fence on the line. There were twenty or thirty miles of that road not enclosed by any kind of fence. It had been allowed to go down altogether. In the spring the whole of the fields were open from one end of the Island to the other. The management of that fence was on a par with the management of the whole railway system of the Island. The supporters of the Opposition could scarcely get fair treatment, no matter how much money they paid, while supporters of the Administration obtained positions on the road and every indulgence possible. The Press Association visited the Island last summer, and, as usual, the members were treated with all possible courtesy. He had a note from a representative of an Opposition paper, who had made application to the Superintendent for a pass along this road. The application ran:

"DEAR SIR,—I have been informed that it is customary for the railway department to issue passes to editors and publishers of newspapers on all lines of railway. If so, I beg to make application for one for myself, as the visit of the Press Association will necessitate some railway travel."

To which he received the following answer :

"I beg to acknowledge receipt of yours of 24th. In reply, I beg to say it is not customary for the railway department to issue passes to editors on all lines of the railway. Passes are, however, sometimes given to friendly editors.

(Signed) W. McKECHNIE,  
Superintendent."

That was a sample of the way in which the business had been conducted on that road. With regard to this fence, he hoped that means might be taken to put up one along the line, so that twenty or thirty miles of the road would not be left without a fence, and scores of cattle killed in consequence. He was glad the hon. member had brought this subject up. Sixty-five thousand dollars had been charged in the Public Accounts last year on that work, and would, probably, be re-expended this year. If a board fence were wanted, one could be built for that amount the whole distance from Cascumpeque to Georgetown. This amount was charged to the 30th June last; no doubt, very nearly as much had been expended since on the thirty miles of fence constructed.

MR. SINCLAIR said he thought the hon. member for Queens must know perfectly well that the Administration had not approved of the new fence contract.

MR. POPE: I did not say that the Government approved of it, but I said they appointed a Committee themselves to test that wire, which reported to the Council that, in their opinion, it was sufficiently strong.

MR. SINCLAIR: The hon. member was in error again. The Government did not appoint a Committee for testing the wire fence. It was not the intention of the Government to pay the contractors in full for that fence. The contract was let during the time of the previous Administration. The Govern-

ment could not, therefore, help themselves, because the contract had been let, and a good part of the work done when they came into power. The Government of the day stated distinctly they protested against that fence, and they were keeping back ten per cent monthly, and intended to make the contractors make the fence equal in strength to the fence originally contracted for, before they would pay them in full the amount of their contract for the work. The hon. gentleman charged the Administration of that day with being as guilty in the wire fence contract as the Administration of which he was a member. This was not the case. The whole of the wire fence contract was considered to be a gigantic swindle. Even the Engineer admitted that it was not on his recommendation that the wire fence was substituted. He was questioned by members of the Government if such a wire fence would not do. He replied it might do, and he was requested to report upon it to the Government. He did not want to give any particulars; but, if he chose to do so, he could clearly show why the change in the fence was made, and who received the contract and benefited by the job at the expense of the country. It was past and gone now, and it would not benefit the Local and Dominion Governments to revive it. This was the second time the hon. gentleman had alluded to free passes on the railroad. He had stated at a public meeting in Charlottetown that Dominion members had received them. He did not mention his (Mr. Sinclair's) name, but that of another hon. member for Prince county. He (Mr. Sinclair) never received a pass, but always paid his way, like every other passenger. But he was credibly informed that the hon. member who made the charges against others was the first man who had received a pass on that road. He could not believe that the Superintendent, Mr. McKechnie, was granting favours to political supporters of the Government. He believed that he was as strict with the supporters of the Government—and even some of them who were putting a great deal of traffic on the line—as he was with others. The Superintendent performed

his duties in an impartial and obliging manner. He considered him a faithful officer, and he believed he was giving general satisfaction.

MR. POPE said the hon. gentleman had alluded to him as having been the first to receive a pass. He was the first who gave a large amount of work to the company, and was the one who had fought the line through. In the year, during which he had a pass, he had contributed some \$6,000 or \$7,000 towards the earnings of that road, and if he did get a pass, the railway did not lose anything. All the members of the Local Legislature received passes, while the members of the Dominion Parliament could not get any. All the members of the Local House and their families travelled with passes, while the members of the Dominion Parliament were not thus favoured.

MR. PERRY said the hon. member for Queen's had ingeniously endeavoured to place the odium on his shoulders, but he was not willing to bear it. The guilt of having passed the Order in Council should be shouldered by the hon. gentleman himself. The Order in Council was passed during the summer of 1871, when the hon. member for Queen's was Premier of the Local Government, and when the House met in February, 1872, the House was shortly afterwards dissolved. He had, under those circumstances, no opportunity to vote against the Government. Although he had supported the Dominion Government ever since he entered Parliament, he had never received any passes over the Government Railways.

MR. MACKENZIE said he was surprised to hear the rash statements made by hon. gentlemen opposite. The hon. member for Queen's had said that every person that applied could get passes.

MR. POPE (Queen's): I did not say so.

MR. MACKENZIE: That all the members of the Local House had passes.

MR. POPE: All the members of the Local Government.

MR. SINCLAIR.

MR. MACKENZIE said the hon. member had not previously made that statement.

MR. POPE said he had intended to say that all the members of the Local Government had passes.

MR. MACKENZIE said the members of the Local Government had had passes since the railway had been opened.

MR. POPE: I beg your pardon.

MR. MACKENZIE said that such was the fact, but no other persons to his knowledge. Neither over that road nor the Intercolonial, had he ever directed a pass to be given to any one. That was the position of the matter as regarded passes, and the hon. member for Queen's had endeavoured to convey a gross exaggeration of the matter in the remarks he had made. He did not know from whom the hon. member had read the letter, but he would be glad to obtain a copy of it, and he would then ascertain if any friendly editor, as it said, ever obtained a pass. He (Mr. Mackenzie) was not aware of any being given. On behalf of the Government, he invited the Press of the country to make their annual excursion over the Intercolonial and Prince Edward Island Railways, last year. It was in the interests of the road that this should be done. He believed no body of men could do so much for the roads as editors and members of the Press, and, instead of feeling it as a favour to them, he felt it as a favour to the Government that they would go over the roads and make known what Canada could do on its own railways and what were the resources of those sections of the country. With those exceptions, and the members of the Local Government of Prince Edward Island, no person, to his knowledge, had received any pass, except immediately after the fire at St. John, when directions were given to allow people in search of work, and who could not find homes in St. John, to be transferred to various places in Nova Scotia and New Brunswick, at the expense of the Government. With regard to the fencing, he might state that the wire fencing proved utterly useless, and it became a snare, because animals endeavoured to leap it and got caught



in it. Its removal, therefore, became necessary, and tenders were asked for the erection of a new fence. The lowest prices were: common, 79c.; post and board, \$1.25; and snake, \$3.79 per rood. After comparing them with the prices paid in New Brunswick and Nova Scotia, they considered it would be cheaper to purchase the material and build the fence themselves. The result was that 86½ double miles of post and board fence were erected at a cost of \$48,184.14, or 86c. per rood, instead of \$1.25; of snake fence 19¼ miles at an average cost of \$3.06, instead of \$3.79 per rood. He would feel much obliged to any hon. member who would afford him such information as would enable him to effect any reforms whatever in the running of the road. He could assure the House that he was only desirous of having the work most efficiently performed and to remove every abuse as far as it was possible to do so. He had no interest whatever in maintaining anything that was wrong, but whenever any abuse existed, or anything was done in a manner that could be improved, he would be glad that they should be pointed out. But the hon. member for Queen's had not stated fairly the matter in connection with the fencing, and he well knew that it was utterly impossible to construct all the fencing in one season; and the hon. member knew also, from the statement he (Mr. Mackenzie) made, that after obtaining tenders, the Government found that they could save some thousands of dollars by adopting another mode than that of accepting tenders for the whole work. That had been the net result of the operation, and the hon. member for Queen's could not have known the facts or examined the reports, or he would not have made the remarks he had offered on the subject.

Mr. POPE (Queens, P.E.I.) said that in twenty miles of the road only half a mile was fenced, and four years had elapsed.

Mr. TUPPER said that as the railway settlement ultimately made was based on Mr. Shanly's report, it should be laid before the House.

Mr. MACKENZIE said there was no possible objection to such being

done; and he was under the impression that the report had been submitted. In regard to Mr. Shanly's visit to Prince Edward Island, the hon. member for Cumberland would remember that the Government first sent Mr. Swinyard to perfect arrangements for the opening of the Island Railway. That gentleman made an elaborate report on the condition of the road, and the Dominion Government proposed to effect a settlement with the Island Government on that report. The present Senator Haviland was the Provincial Secretary, and he complained that Mr. Swinyard's report was too severe, and that he had made his calculation upon a basis which was not absolutely correct. Mr. Swinyard was not accused of writing anything wrong, but Mr. Haviland stated that the Provincial Government had made changes in the original contract, and he took the ground, whether those changes were beneficial or otherwise, they were made by competent authority, and that all the Dominion Government had the right to claim, was the difference between the amount which would have been necessary to perfect the road, deducting whatever was saved by the changes made by order of the Provincial Government from the total sum as first assessed. The Dominion Government was not able to resist that argument, because, if the Local Government had the power to make changes, so as to have curves more frequent and sharper than originally contemplated, and steeper grades; if, in short, they allowed any changes to be made in the contract, those changes the Dominion Government was competent to recognize; and he arranged with Mr. Haviland that the Dominion Government would send some perfectly impartial, independent person, who would receive the statements, both of the Local Government and of the Engineers the Canadian Government had placed there. He (Mr. Mackenzie) selected Mr. Frank Shanly, with Mr. Haviland's consent, for that duty, partly because he was an authority on that kind of railway, because he had built considerable lengths of it himself, and partly because he had perfect confidence in

that gentleman's personal integrity, as well as for professional ability. His instructions were not to report on the whole road so much as upon the features to which he (Mr. Mackenzie) had referred. Mr. Shanly had Mr. Swinyard's report before him; also, the engineers' reports and the allegations of the contractors and the Local Government, and he had to consider them and determine a sum that should be payable by the Local Government as against the sum which could be claimed under Mr. Swinyard's report. That was the character of Mr. Shanly's report. He did not remember minutely all the subjects dealt with in it, but, at all events, the matter was discussed in the House. If the report had not been brought down, there was not the slightest objection to its being submitted, because it was accepted as the basis of the settlement between the Island and Dominion Governments, as to the amount of the capital account which was to be charged against the Island.

MR. BOWELL said it was desirable that the country should know that Mr. McKechnie, the Superintendent of the Prince Edward Island railway, was using the position he occupied to favor a certain class of newspaper men in that Province. The letter written by that journalist, a copy of which had been read by the hon. member for Queen's, P. E. I., showed, at least, that in the management of that railway the Superintendent had selected certain editors and proprietors of newspapers to whom he extended the favours of free passes over the road. It was very questionable, even though the principle of the Government might be that, to the victors belonged the spoils, whether Government property was to be used exactly for the benefit of those who were willing to praise the Government and to be civil and courteous, as Mr. McKechnie said, to the railway officials. That gentleman said in his letter "passes are sometimes given to friendly editors with the expectation that they will, in return, show ordinary courtesy to the officers of the railway," which simply meant that if an editor had ventured to criticise the action or management of Mr. Mc-

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Kechnie the favour of a pass would not be extended to him. He (Mr. Bowell) was satisfied the country would not justify such conduct, and he was gratified to have heard the statement of the hon. the Premier that if the accusation contained in the letter, which had been read in the House and would become public, were correct, it was a serious charge against the management of the road. It had been the habit to grant passes to newspapermen over different railways, but he had yet to learn that, even in the case of private companies, they had been confined exclusively to those who were ready, at all times, to puff the management and state what they did not believe to be correct in connection both with the road and its management. That practice should certainly be terminated. It could scarcely be concluded that the Editor of the *Summerside Progress* should not have received that ordinary courtesy which was extended to the editors, proprietors and representatives of the newspapers of the Dominion at the time of the Press Excursion. Such action was carrying a feeling of spite too far. It was the duty of the hon. the First Minister to inquire into the charge, and see that the practice should not be perpetuated on the Island Railway, or on any other Government road.

MR. MACKENZIE said he had already informed the House that such had been done entirely without his knowledge, and quite contrary to his orders.

MR. BOWELL said he had not charged that it had been done with the knowledge or consent of the hon. the Premier; but, his attention having been called to it, he should terminate such practices.

MR. MACKENZIE: No doubt. I do not find in the journals for the past two years, Mr. Shanly's report, and I presume it has not been moved for. I will lay it on the table, of course, at once.

Motion agreed to.

## ST. PASCAL MAIL.

## MOTION FOR STATEMENT.

MR. ROY moved for a statement showing the amounts paid annually for carrying the mail between Kamouraska and the railway station at St. Pascal, since the express train on the Intercolonial Railway began to deliver the mail at that station; also the names of the persons to whom such amounts have been paid.

Motion agreed to.

## DISMISSAL OF R. J. M. LECAINE.

## MOTION FOR CORRESPONDENCE.

MR. TUPPER moved for copies of all correspondence, reports or papers connected with the dismissal of R. J. M. Lecaine from the Mounted Police Force at the North-West. He said he did not propose to enter at any length into the nature of this case. He was instructed by Mr. Lecaine that he was appointed to the position of non-commissioned officer—he was not quite certain as to the position held—in the Mounted Police Force of the North-West, and was subsequently dismissed from the service. He was instructed by Mr. Lecaine to say that he requested a Court Martial or a Committee of Enquiry, but was refused any investigation into his case, although, as he stated, Colonel French, who was at the head of the force, said that it was an extremely arbitrary course which had been pursued, and one that would not have been pursued in Her Majesty's service. At all events, the papers were sent forward, and he (Mr. Lecaine) complained that he was unable to obtain an investigation or enquiry, as he supposed that, under these circumstances, he would have secured from the Minister here. In any case, he felt that he had been very much injured, under the circumstances, and unfairly treated; and he (Mr. Tupper) had been requested to make this motion in relation to Mr. Lecaine's removal from the service.

MR. MACKENZIE said he did not recollect at the moment any of the particulars respecting this case, which occurred, he believed, over three years ago,—in 1874 or 1875, and early in 1875, if at all in that year.

He was quite sure that the then Minister of Justice, Mr. Dorion, had not done any thing unjust towards this or any other person. As to the difficulty of obtaining a Court Martial, no such Court was held in that matter; action was taken on the report of superior officers and discipline was maintained in the ordinary way, as among the employes elsewhere. He had no doubt that when the papers came down they would show that Mr. Lecaine was treated with every possible consideration.

Motion agreed to.

## SERVICES OF H. G. HILL.

## MOTION FOR CORRESPONDENCE.

MR. TUPPER moved for copies of all correspondence between H. G. Hill, architect, and the Government, or Department of Public Works, respecting services performed for the Government. He said that Mr. Hill, who was a gentleman of very high standing, and who held a very respectable position in the City, had in consequence of great reverses in business, become very much impoverished, and owing to loss of health, was in a position which certainly required that he should receive the most thorough justice at the hands of the Government. Mr. Hill complained, that having been appointed to the position of Architect under the late Government, his services were subsequently dispensed with under the present Government, and that he had never been able to obtain a satisfactory settlement. Some difficulty had occurred in consequence of the loss of some of his books and papers in their removal to another office, which might have interfered, perhaps, with his ability to furnish the information required, but he (Mr. Hill) claimed that, independent of the amount itself in controversy between the Government and himself, there was a very considerable claim for something like \$2,000, in all, he (Mr. Tupper) thought for salary, which he would have been entitled to receive, at the rate of \$100 a month, for the period up to the time when his services were dispensed with. Mr. Hill's position was, formerly, one of a very leading man indeed, and he was a man of very considerable talent

and ability, but he had met with great reverses. He (Mr. Tupper) had, only yesterday, received a letter from one of this gentleman's friends in Halifax, saying that a friend of Mr. Hill had put himself in communication with the hon. the Minister of Militia, who had promised to give his personal attention to this matter. As he did not know that Mr. Hill's position would be benefitted by the bringing down of any correspondence, and as his only object was to endeavour to stimulate the Government, if possible, to give prompt and careful consideration to the case, and to do Mr. Hill the justice which he would be found, on such examination, to be entitled to, he would be very glad to drop the motion, if the Minister of Public Works would undertake to have his attention carefully turned to the subject, and as promptly as this could be done.

MR. MACKENZIE said he could assure the hon. gentleman that he had given his attention to this matter long ago. There were two or three mistakes in the hon. gentleman's statement—mistakes which, of course, were not those of the hon. gentleman. One related to the statement that Mr. Hill was a salaried officer. His deputy and the chief architect utterly denied this; and their denial was consistent with the general course of the Department.

MR. TUPPER said he did not want the hon. gentleman to understand him to say that Mr. Hill was a salaried officer, but that he computed his salary at the rate paid him, down to a certain date, by the Department; and he estimated it to average something like \$100 a month. He did not undertake to say that Mr. Hill had a fixed salary.

MR. MACKENZIE said that the course which the Department had pursued, both under the late and present Government, was, that when they had to erect a building, a rough sketch was first made at Ottawa, and then sent to some local architect, with instructions to prepare finished plans. This architect received his commission upon the amount of the contract, and where expensive repairs had to be made, he received also a commission, in case of new buildings varying from  $2\frac{1}{2}$  to 4

per cent., and in case of ordinary repairs, costing perhaps \$2,000 or \$3,000, a somewhat large commission was given; this was generally left to the Chief Architect to determine, subject, of course, to the decision of the Minister of his Department. The Chief Architect of the Department had assured him that this course was pursued regularly with Mr. Hill, and that the only difficulty arose from the fact that Mr. Hill was claiming a fixed salary as well as the commission upon the work which he superintended. Mr. Hill had been dealt with exactly like the other gentlemen who had been so employed during the last  $2\frac{1}{2}$  years as architects—as Mr. Hilliard and as other architects had been employed. He (Mr. Mackenzie) had understood the last time that this matter was before him, which he thought was two months ago, that there might possibly be a balance due Mr. Hill on the Chief Architect's and his own mode of computation, and he had directed that whatever that balance was, it should be reached, in the first place, in the ordinary method by which local architects were dealt with in other places, and that no time should be lost in remitting the sum; but if there was any such balance at all, it was comparatively trifling and nothing at all approaching the sum mentioned by the hon. gentleman. However, he would give the hon. gentleman a memorandum to-morrow or the next day, and would show him exactly how the matter stood and how it was arranged.

MR. TUPPER said that if the hon. gentleman would spare enough time to run his eye over the correspondence between the Department and Mr. Hill, he would find reason probably to change his impression a good deal. He did not at all controvert the statement that the Chief Architect had formed his opinion from his mode of computation, but Mr. Hill himself claimed that he had a letter from the Department acknowledging the amount of \$1,260 due him as salary; and he thought that if the hon. Premier would be good enough to run his eye over this correspondence, previous to a final settlement, it would lead to a satisfactory adjustment. At all

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events, with the assurance of the hon. gentleman that he would give, and was giving it his attention, he would beg leave to withdraw this motion.

MR. MACKENZIE: I shall be very happy to look over the papers, but I can only deal with Mr. Hill as with other architects in other places.

MR. TUPPER: Certainly; that is quite true.

Motion, with leave of the House, withdrawn.

#### PUGWASH BRANCH RAILWAY SCHEME.

##### MOTION FOR PAPERS.

MR. TUPPER moved for copies of memorials asking aid for a Branch Railway from Pugwash to the Intercolonial Railway, with any correspondence on that subject. He said he desired to draw the attention of the Government to what he regarded as a very important question. The undertaking on the part of the Government to establish winter communication between Prince Edward Island and the mainland, and to give the people of that Island, when they came into Confederation, connection with the railway system of the Dominion, was one which the Government had shown very great anxiety to carry out, in the very large outlay and expenditure made in connection with the *Northern Light*. He believed that a fatal mistake had been made in carrying out this policy, which the Government was bound to carry out, and which he was free to say he believed they had shown a most energetic desire to do. The mistake had been that of attempting to select the route for the *Northern Light*, instead of using her simply and purely for the purpose of discovery. He was led to believe, from the best information he could obtain, that if, instead of placing this costly vessel upon an impracticable and impossible route, which had proved to be a complete failure, and which, under the most favourable circumstances that we had had for many years, had been shown to be quite impracticable for the purpose of establishing anything like valuable steam com-

munication between the mainland and Prince Edward Island, if the captain—and he did not say the captain now in charge was not skilful—and the most able and competent officers that they could get had been obtained,—the vessel had been used solely for the purpose of experiment and exploration, not to make communication week after week between Prince Edward Island and the mainland, but to be used solely for the purpose of discovering as to where could be found the most favourable point for communication, that which had proved to be impracticable up to the present moment would have been found capable of solution. He was instructed that between the harbour of Crapaud at Prince Edward Island, and Oak Island, at the mouth of Wallace Harbour, and the shore between that and the harbour of Pugwash, open water had been continually present, so that there would have been no difficulty whatever in keeping up fair and steady communication, by means of the *Northern Light*, between these points. The distance between Crapaud, Prince Edward Island and the harbour of Pugwash, on the mainland, was only twenty-five miles, and the distance between Charlottetown and Pugwash Harbour was only forty miles. Of course, the latter harbour was closed by ice during the winter, but, as he had said, Oak Island, at the mouth of Wallace Harbour, had been accessible, he believed, during the past two winters almost uninterruptedly from Prince Edward Island. The formation of the land on the Island and on the mainland was such that when the ice jammed up to a certain point it suddenly broke away, and clear water was found to exist there, and about there, almost during the entire period of winter. The harbour of Pugwash was known to be one of the finest on the Gulf of St. Lawrence. It was capacious, and it admitted vessels of any size drawing 21 feet of water when loaded; and for vessels of that size nothing could be better. The distance from the Intercolonial Railway to this harbour, which was within forty miles of Charlottetown, was, he believed, something like sixteen miles.

MR. MACKENZIE: From what point on the railway?

MR. TUPPER: Intersecting the railway at River Philip, or a little farther up, it will touch two or three points owing to the direction of the line in consequence of the necessity of avoiding an adjoining range of mountains, from there towards Halifax, without materially increasing the distance; and by a short branch of some sixteen miles of railway, they could connect this valuable harbour of Pugwash with, and afford the best line of communication with Prince Edward Island and the nearest point on the Intercolonial Railway, saving over the existing summer route something like four hours in going from Charlottetown to Halifax, which, of course, was a very great saving, taking the distance into consideration. It would effect a very large saving in going to St. John, N.B., over the existing line of communication and by tapping the Intercolonial it would establish a direct line of communication across from the harbour of Pugwash to the Basin of Minas. It would bring the valuable Spring Hill coalfield in communication with a port on the Gulf of St. Lawrence and increase the facilities for obtaining Nova Scotia coal by the St. Lawrence, because it would furnish it at a nearer point than that from which it could now be reached by the St. Lawrence. The question was one of importance, and he hoped the Government would make a thorough enquiry into the winter and summer navigation of the St. Lawrence at this point, for he believed the proposed branch would form one of the most important feeders of the Intercolonial Railway. He would not, at this advanced stage of the Session, take up the time of the House further, but would simply commend the matter to the consideration of the Government.

MR. MACKENZIE: As I stated at an earlier period of the evening in reply to the question put by one of the members for Queen's County, Prince Edward Island, the Government is prepared to consider the whole subject of the winter navigation of the River St. Lawrence. I think the statement made by the hon. gentle-

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man as to the *Northern Light* being a fatal mistake is rather a strong one.

MR. TUPPER: I did not say it was a fatal mistake. I said putting the *Northern Light* on a fixed route instead of using it as a trial vessel was a fatal mistake.

MR. MACKENZIE said the object of the Government was to obtain the best possible vessel so that they might better accomplish the purpose. He was bound to say that the weight of opinion was decidedly in favour of crossing the Straits further west. He had paid some little attention to the Pugwash proposal, but he must say he did not by any means admire the name.

MR. TUPPER: It could be changed by Act of Parliament.

MR. MACKENZIE said the distance from the cape was 25 miles, and some people who pretended to know said it was more difficult to approach the shore at Pugwash than at the cape. On the other hand, residents in the neighbourhood of Pugwash assured him of the very opposite. He thought the Government would best serve the interests of the public by getting an impartial examination made of the coast in that particular place, with the view of ascertaining the best method of carrying the mails from the island to the mainland. They were not prepared to recommend any measure to Parliament at the present time, but they hoped to do so after an independent examination before next Session.

*Motion agreed to.*

REMOVAL OF INTERCOLONIAL RAILWAY ASSISTANT-RAILWAY SUPERINTENDENT.

MOTION FOR CORRESPONDENCE.

MR. TUPPER moved for copies of all correspondence, Orders in Council or Reports connected with the removal from office or resignation of George Taylor, from the office of Assistant Railway Superintendent of the Intercolonial Railway. He could not, he regretted to say, properly characterize the action of the Government in relation to Mr. Taylor in any other terms than to say it had been exceedingly cruel and unjust. Mr.

Taylor was a young Scotchman, who came, 20 years ago, at the time of the first organization of the Nova Scotia Railway, and was appointed to a comparatively humble position on the staff. Being a young man of great industry, fair education, and good business ability, he rose step by step, under several successive Governments, until he ultimately attained the position of Superintendent of the Nova Scotia Railway—the highest officer in connection with the management of that undertaking. In that capacity he gave entire satisfaction. When, however, the line between New Brunswick and Nova Scotia was completed, and it became necessary to amalgamate the two railway systems, the officer holding the same position in New Brunswick which Mr. Taylor held in Nova Scotia was, by right of seniority, appointed superintendent, an arrangement in which Mr. Taylor readily acquiesced, thus becoming assistant manager of the Intercolonial Railway. In that position he discharged his duty with great fidelity, but when a new Government came into office, and the staff was rearranged, Mr. Brydges abolished the office of assistant manager—although an officer still held practically the same position. Mr. Taylor, without any fault having been found with him, was called upon by Mr. Brydges to resign his office, which he did under protest. He was then offered his choice of two very inferior positions at a great reduction of salary. As, however, he had a family dependent upon him for their maintenance, even in a comparatively humble way, he had no alternative, and told Mr. Brydges that he had, with great reluctance, come to the conclusion that he would accept one of the offices which he was offered. He was then informed that that office had already been disposed of, and, of course, he had to leave the service. Down to the time of his removal he had paid a part of his salary into the Superannuation Fund, but now, in addition to being persistently refused any employment, he was denied any compensation under the Superannuation Act. It would be seen, therefore, that he had been treated with great injustice and cruelty; but he (Mr. Tupper) believed he had not

obtained redress because he had not pressed his claim on the Minister of Public Works with the same zeal that others would have done under the same circumstances. He had deferred doing so from year to year because he had reason to believe, from his personal interviews with members of the Government, that, if he did not receive employment, he would obtain that consideration which, under the law, he was entitled to. He (Mr. Tupper) believed it would be found from the correspondence asked for, that he had assurances to this effect; and, if the hon. the First Minister reconsidered the case, he would doubtless come to the conclusion that common justice required that Mr. Taylor should, in some manner, be compensated.

MR. MACKENZIE said there was certainly no charge against Mr. Taylor for misconduct in his office, but, under the rearrangement of the staff which took place, he was selected, for purely business reasons, as one of those who was considered not necessary to retain in the higher positions. The hon. member for Cumberland was mistaken in thinking that Mr. Taylor had paid a considerable sum into the Superannuation Fund. He had only made payments for two years, and as, on leaving the service, he was paid either six or nine months' salary by way of a gratuity—he (Mr. Mackenzie) believed he was paid for nine months—he could not be considered as being at all ill-treated in that respect. He quite admitted that, as soon as some position became vacant which Mr. Taylor was capable of filling, he should get a preference, and he should be glad to take that into account.

*Motion agreed to.*

#### DISMISSAL OF TRAIN DESPATCHER AT TRURO.

##### MOTION FOR CORRESPONDENCE:

MR. TUPPER moved for all correspondence between the Government and T. M. Boggs, in relation to his dismissal from the office of train despatcher at Truro, on the Intercolonial Railway; together with all correspondence with the General Super-

intendent of the Government Railways; with any reports or minutes of investigation in relation to said dismissal of Mr. Boggs, and a statement of the number of persons now engaged in performing the duties imposed upon Mr. Boggs at the time of the accident which led to his dismissal. This, he said, was a claim by a very humble individual, which merited careful consideration, with the view of making him some compensation. He (Mr. Tupper) had taken pains to ascertain its accuracy, and he would briefly state the facts of the case. Mr. Boggs entered the service of the Nova Scotia Railway in September, 1869, and, after filling several responsible positions, was, in March, 1876, promoted to be train despatcher at Truro, which situation he continued to hold till 28th May, 1877, when he was suspended in consequence of an accident caused by mistaken orders given by him while he was unfitted to discharge his duties in consequence of over-work. After eight weeks' suspension he was dismissed, though, during eight years, he had given perfect satisfaction. For some weeks previous to the time the accident occurred, the train despatching staff at Truro was altogether insufficient, there being only two men to perform the work in consequence of the second official, Mr. McCallum, having taken ill on Thursday, 24th May. From that time till midnight on the 26th, Mr. Boggs was on duty, making 59 hours' work without rest. On Sunday night, the 27th, until 9.30, at which time the accident occurred, no other help had been supplied, and for the whole two days previous to the accident he had to perform the duties although frequently assured by the Divisional Superintendent that assistance would certainly be supplied shortly. On the day following the accident, however, three officers were appointed to discharge the duties which for fifty-nine hours of uninterrupted service, without rest, he had been compelled to attempt to perform. And, shortly afterwards, Mr. McCallum resumed duty, thus making four at least to do the work which Mr. Boggs had been compelled to do alone; and he believed that he was correct in

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stating that seventeen miles of road were transferred from the division worked through Truro to another division, and since then worked through Moncton. So that four persons were employed to do actually less work than Mr. Boggs. At the investigation into the cause of the accident, held in Truro on the 2nd June, Mr. Boggs stated that he had been overworked, but no attempts were taken to ascertain why help had not been supplied previous to the accident. He (Mr. Tupper) felt that he had no need to make any remarks to the House upon these facts, if they were facts literally and strictly correct, and they were not contradicted at the investigation. No member of this House or this Government would for a single moment say Mr. Boggs was responsible for the accident, which, fortunately, did not result in any loss of life. The accident occurred in consequence of a wrong order having been given, but this, he need not say, was the result of overwork. There was no question which deserved more particularly the attention of the Government or any parties connected with the working of a great railway than the question of overworked railway officials. The *London Lancet*, the highest authority, perhaps, in the world upon this point, in an article, brought out the important fact that, if railway companies overworked a railway officer, an officer from whom vigilance and close personal attention to the safety of life and property were needed, his brain was brought into that condition by being overworked, for any length of time, that he was very apt to give an erroneous order. A great case which came up in England, turned entirely on the responsibility of the railway company, in consequence of it being established that the officer through whose neglect of duty or inattention at the moment the accident occurred, had been previously overworked. Now, if it had been established that being previously overworked would account for moving a wrong lever, or giving a wrong signal, or failing to comprehend at midnight all the movements that had taken place on the railway, what should be said of a Government who discharged an officer for these



acts, who had been on duty for fifty-nine hours without rest, and had performed duties which at this moment it took four officers to perform. He thought that, under the circumstances, the Government did not act with a spirit of justice when they visited upon an officer, who for eight years had shown by unremitting attention to his duty that he was a thoroughly painstaking officer, such a heavy penalty. He thought they did not act justly towards that officer when they deprived him of the means of earning his bread, after these facts had transpired at the investigation. His object in bringing this matter before the House was to draw the attention of Government strongly to the peculiar hardship of the case, with a view, he trusted, to the reconsideration of what he considered to be a very severe penalty.

MR. MACKENZIE said he regretted that he was unable to lay his hands on the papers; he presumed they were at the railway office. His recollection of the case, and he thought it was tolerably correct, was that the statement which the hon. gentleman gave as a statement of facts, was not received as a statement of facts by the Department; in other words, that statement was controverted, and it was shown, he thought, conclusively, that there was very gross negligence in the matter. There was nothing in the whole system so dangerous as one of these train despatchers neglecting his duty; for while the system, itself, was tolerable, if properly worked, it was a very dangerous one if great care was not bestowed upon its working. The position of a train despatcher was one of great importance; everything depended on the accurate transmission of orders, and it required most unremitting attention. In this case, there was gross negligence shown, which made it utterly impossible for the Government to continue this despatcher in his position. He would not speak, of course, with absolute positiveness of the facts, but he believed that when the papers came down, the hon. gentleman would find that the statement furnished to him was not so correct as he (Mr. Tupper) considered he was. There was no intention of doing an

injustice to the man, the sole object of the Government being to secure safety to the travelling public.

MR. MCKAY (Colchester) said he could vouch for the fact that three men were appointed to do the same duty as was performed by Mr. Boggs alone. He had no doubt that a mistake had been made, but Mr. Boggs was one of the most industrious, hard-working, and attentive men they could possible employ, and he was always at his duty; and, although it might not be in the public interest to maintain him in the same position, which he (Mr. McKay) would admit was a most responsible position, he thought it was very unjust to dismiss the man from the service. He was a good officer, had been a station master for many years, and he thought the least the Government could do was to give him another position, as good as the one he had left, in some other capacity.

MR. PLUMB said it was well known that, in England, the question of the overworking of the pointsmen and men who were employed to give the railway signals at great stations had been thoroughly investigated. It had been found that overwork in that respect was not only apt to create confusion in the minds of such a person at the time, but there had been a permanent effect produced upon his mind; and the investigations to which the hon. member for Cumberland (Mr. Tupper) had referred, showed that there was no reason to believe he was responsible for the error made in the discharge of his duty, after the stress put upon him by overwork. If he was kept fifty-nine hours at work on a stretch, as was stated, and there was nothing brought forward to contradict it, it seemed cruel that he should be made responsible for an accident which, after all, did not result in loss of life and was not of a serious character. If it was proved that through overwork, he had committed an error, he might have been retained to do some other work. It became the duty of the Government to enquire seriously into every affair of this kind,—one which affected the management of the railways of the country and the differ-

ent lines which the Government was likely to control, under the system they had adopted. It seemed to him a most extraordinary case of hardship had been made out. It was shown by the statement of the hon. member for Colchester, which was not controverted by the hon. the Premier, that three persons were now doing the work which this man had formerly done alone. This question had, he must say, been treated with levity, with great carelessness, when the papers connected with it were not forthcoming, although information had been asked months before. This delay on the part of the hon. Minister, whose duty it was to answer such questions, gave rise to attacks such as made to-night. It delayed the public business. The Opposition were not responsible, because these discussions would not arise if the fact could be stated authentically, so as to settle the allegations made by the person in whose behalf this enquiry was moved. It was evident, if Boggs' statements were correct, and they were corroborated by the hon. member for Colchester, that a grave responsibility rested upon those who had not relieved that man. He should not have been punished for an act for which he was not responsible; if the accident occurred through his having been overworked, he should have been retained and placed in another position. After all that had been said by the hon. member for Cumberland, corroborated, as it has been, by the hon. member for Colchester, he trusted the Government would pay serious attention to the management of the road in which such accidents were allowed to occur.

*Motion agreed to.*

#### CONVEYANCE OF H. M. MAILS IN CAPE BRETON.

##### MOTION FOR RETURN.

MR. McDONALD (Cape Breton) moved :

"That a message be sent to the hon. the Senate, requesting that hon. body to transmit, for the information of the House :—

"1st. Copies of all contracts entered into during the year 1875, for the conveyance of Her Majesty's Mails from Sydney to Cow Bay, Little and Big Glace Bays and Bridgeport, in the county of Cape Breton.

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"2nd. Copies of notices for tenders, and the titles of newspapers wherein they were inserted: with all copies of other documents, correspondence, etc., in reference to such contracts; also copies of all other contracts entered into in the years 1874, 1875 and 1876 in the said county of Cape Breton, with vouchers of payments for said services and transmission of mails."

He said, when these papers came down, he would refer to them fully. He might say, however, that the two old contractors had been suddenly deprived of their contracts, which they had held for a number of years. One of them, who, to his own knowledge, had done the work to the satisfaction of everyone, had been dismissed, and had not even been allowed an opportunity to tender again for the new contract, the Government having entered into an arrangement privately with another party.

MR. HUNTINGTON said the Government had to deal with a contract where the contractor had \$856 for the performance of a tri-weekly mail service. They made an arrangement to give a daily mail for \$900, over the same service, thus paying only \$44 more. The tri-weekly service at \$856 had been turned into a daily service at \$900.

MR. McDONALD said that statement might be correct, but he wished to have the papers brought before the House, as he might require to refer to this matter again. The contract was taken from one man, who had had it for fourteen years, and had been given to another privately and secretly, in violation of the law, and at a figure which enabled him to make considerable profit, as had been proved by the tenders since received by the Government. The contract had been awarded in violation of the law.

MR. HUNTINGTON: Not in violation of the law.

*Motion agreed to.*

#### QUARANTINE HOSPITAL AT SYDNEY, C.B.

##### MOTION FOR CORRESPONDENCE.

MR. McDONALD (Cape Breton) moved for correspondence between the Dominion Government and the Imperial Government in reference to a

site for building a quarantine hospital at Sydney, Cape Breton. He said that Sydney had become a very important shipping port, second only to Halifax. Vessels from different ports made Sydney a port of call. Vessels seeking freight in the Gulf of the St. Lawrence, the Bay of Fundy, as well as the Eastern States, frequented Sydney, and it was apparent of late years that disease had been brought into the city from these vessels. It was of the greatest necessity that a quarantine hospital should be built there, and he hoped the Government would seriously consider the matter.

*Motion agreed to.*

**DISMISSAL OF SHIPPING OFFICER AT  
LITTLE GLACE BAY, C. B.**

**MOTION FOR CORRESPONDENCE.**

MR. McDONALD (Cape Breton) moved for correspondence relating to the dismissal of R. McNeil, Esq., shipping officer at Little Glace Bay, Cape Breton County.

MR. MAC KAY (Cape Breton) said he did not think the hon. gentleman had anything to complain of, inasmuch as, if he recollected aright, the shipping officer at Little Glace Bay left his office, and as it was not expected he intended to retain it, another was appointed in his place.

*Motion agreed to.*

**REMOVAL OF POSTMASTER AT COW  
BAY, C. B.**

**MOTION FOR CORRESPONDENCE.**

MR. McDONALD (Cape Breton) moved for correspondence relating to the removal of the Postmaster at Cow Bay, Cape Breton, together with all correspondence between the Post-Office Department and all other parties touching the cause of his removal.

*Motion agreed to.*

**DISMISSAL OF AGENT OF GOVERNMENT  
SAVINGS BANK, GLACE BAY, C. B.**

**MOTION FOR CORRESPONDENCE.**

MR. McDONALD (Cape Breton) moved for all correspondence relating to the dismissal of the Agent of the Government Savings Bank at Glace Bay, Cape Breton.

*Motion agreed to.*

**DISMISSAL OF THE POSTMASTER AT  
LITTLE GLACE BAY, C. B.**

**MOTION FOR CORRESPONDENCE.**

MR. McDONALD (C. B.) moved for all papers and correspondence relating to the dismissal of D. McDonald, Postmaster at Little Glace Bay, Cape Breton.

MR. HUNTINGTON said the Inspector had reported to the Department that this gentleman, who was, he believed, also connected with the Savings Bank, had absented himself, and was performing the duties of an accountant at Halifax. The Inspector had great deal of difficulty in finding him out, and he was not to be retained any longer.

MR. McDONALD (Cape Breton) said he wished to see the papers in order to ascertain whether what had been stated was correct, because, if it were, the Government should have dismissed the officer from another position which he held; but, instead of doing so, they left him there during two years. This man had had the misfortune to vote for him at the last election, after which he was dismissed from office. The Government allowed him to continue as Savings Bank agent for two years afterwards. It was known to the Government that he had been absent when they dismissed him from the office of postmaster, and they should have dismissed him, at the same time, from the office of agent of the Savings Bank. That was no reason for the course of the Government.

MR. HUNTINGTON: We thought it was a good reason.

*Motion agreed to.*

**DISMISSAL OF JAMES CORBELL, POST-  
MASTER AT LORWAY MINES, C. B.**

**MOTION FOR CORRESPONDENCE.**

MR. McDONALD (Cape Breton) moved for all correspondence relating to the dismissal of James Corbell, postmaster at Lorway Mines, Cape Breton County.

MR. HUNTINGTON: Mr. Corbell resigned regularly on the 7th May, 1874. He was not dismissed.

*Motion agreed to.*

## DISMISSAL OF J. CADIGAN.

## MOTION FOR CORRESPONDENCE.

MR. McDONALD (Cape Breton) moved for all correspondence touching the resignation of J. Cadigan, as Postmaster at Little Glace Bay, Cape Breton County.

MR. HUNTINGTON: The information I have is, that Cadigan resigned on the 19th July, 1875, because he was going into business and could not attend the office.

*Motion agreed to.*

POST OFFICE AFFAIRS AT VICTORIA,  
C.B.

## MOTION FOR CORRESPONDENCE.

MR. McDONALD (C.B.) moved for all correspondence between the Post-Office Department and all persons, touching the Postmaster and Post-Office affairs at Victoria Mines, Cape Breton County, for the past three years.

*Motion agreed to.*

LEASE OF OYSTER BEDS AND MUD  
FLATS IN COLCHESTER AND CUM-  
BERLAND.

## MOTION FOR CORRESPONDENCE.

MR. McKAY (Colchester) moved for copies of all correspondence, memorials, reports or papers, connected with a lease from the Government of Nova Scotia and from the Dominion Government to the Hon. Alex. McFarlane, of certain mud flats and oyster beds in the counties of Colchester and Cumberland, with copies of said leases; also, statement of the amount of rent received for said property by the Government. He said that a very large number of his constituents were interested in the matter referred to in this motion. This lease was given some ten years ago, and covered a very large bay, part of which was no benefit for the purposes of the lease. In this bay there were extensive mudflats or mussel mud bars, that were considered to be of immense wealth to farmers in that locality, and they had gone to a large expense in building scows and machines for dragging and carrying this rich deposit to

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their farms. The lease deprived them of this privilege. The portion required by the inhabitants was of no use to the holder of the lease. He (Mr. McKay) had used every means in his power to get the lease cancelled, and he was justified in asking for the cancellation for other reasons. The holder had not fulfilled the terms of the lease. He had never spent a dollar on it, and no person received any benefit from it. He believed he was right in saying that the Inspector of Fisheries in Nova Scotia had reported against the lease. On the coast of Prince Edward Island similar mud bars were used very extensively by the farmers of that Province, where the deposit was considered very valuable and where there were no restrictions whatever. He desired to impress on the Government the necessity of cancelling at least that portion of the lease which would benefit the inhabitants. He did not deny the right of the Government to lease oyster beds for the purpose of cultivating and propagating oysters, but in the present case the Government were doing the inhabitants of this locality a positive injury, and he hoped to hear that the lease was cancelled.

## SCHOOLS OF GUNNERY.

## MOTION FOR RETURN.

MR. AYLMER moved for return of ranks and names of all officers who have attended and taken long or short course certificates at the "A" or "B" Battery Schools of Gunnery; the corps to which they belonged, with the dates of their appointments; their ranks and corps at present and the dates and reasons for their retirement.

*Motion agreed to.*

## LOTS ON ASSINIBOINE RIVER.

## MOTION FOR STATEMENT.

MR. RYAN moved for a statement showing the number of Lots south of the Assiniboine River, in the parish of Poplar Point, in the Province of Manitoba, for which Patents have been issued, for which applications for patents have been received, under the Manitoba Act or otherwise. He said he desired to call the attention of the

hon. the Minister of the Interior to a matter covered by the motion. In the parish of Poplar Point, south of the Assiniboine River, there were a number of poor settlers who went in there shortly after the transfer of the country, and many of whom were half-breeds. By the provisions of the Order in Council, all those who were settled in the settlement belt before March, 1873, had the right to purchase the lands for \$1 per acre. If those parties were mere speculators he would say those terms were exceedingly liberal, but they went across the river to settle before the Government regulations respecting the disposal of those lands were definitely settled. They were there with the expectation of being able to get a homestead entry for the land, as was done in other portions of the Province. It was afterwards determined by the Government that land in the settlement belt should not be open for homestead entry, and although many people had complied with the requirements of the Homestead Law, they were informed, when they applied for patents under the Homestead Act, that the Act did not extend to those lands and that they would have to pay \$1 per acre for them. That price was a very moderate one, but the people were not speculators but active settlers, and as the country had derived considerable benefit from their settlement and improvement of the lands, he hoped the hon. the Minister of Interior would find it possible in the interests of the community to give them the lands under the Homestead Law.

*Motion agreed to.*

#### SURVEY OF BIC HARBOUR.

##### MOTION FOR REPORTS.

Mr. Fiset moved for copies of the Reports of the Engineers, Messrs. Kingsford and E. Michaud, on the survey of the Harbour of Bic.

*Motion agreed to.*

#### TELEGRAPH LINE BETWEEN MATANE AND FOX RIVER.

##### MOTION FOR CORRESPONDENCE.

Mr. Fiset moved for copies of all correspondence between the Government and Sir Hugh Allan and the

Montreal Telegraph Company, in relation to the construction of a Telegraph Line between Matane and Fox River.

Mr. MACKENZIE: There is very little correspondence, but what there is can be produced. The House will remember that a vote of \$10,000 was taken last year in the Estimates, as a subsidy to induce the Montreal Telegraph Company to build a line between Matane and Fox River. There is a communication, however, now to Fox River, going by the New Brunswick side of the Gaspé peninsula and across the country. It was alleged that great advantage would result from having a telegraph line built along the coast, and the vote was taken to promote that enterprise, it being considered that, with local assistance and the Government grant, the company would be able to build the line. They have, however, absolutely declined to do it for that amount, but have decided to accept another proposal and to act upon it, if they receive it, that is a grant of \$15,000 instead of \$10,000. That proposition the Government have had under consideration with a view to secure the building of the telegraph line in the shipping interest wholly.

*Motion agreed to.*

#### PICTOU BRANCH RAILWAY.

##### MOTION FOR CORRESPONDENCE.

Mr. BOWELL, for Mr. POPE (Queen's, P.E.I.), moved for copies of all correspondence and documents received by the Government from all sources relative to handing the Pictou Branch Railway over to a private company.

Mr. MACKENZIE: Certain correspondence was brought down formerly. What is now before the Government cannot be brought down, because the road had not yet been transferred, and correspondence is proceeding at the present time. It would be inconvenient to submit any portion of an unclosed correspondence, and I must, therefore, ask that the motion be withdrawn. With respect to the transfer of the road, under the conditions of the Act passed last year, the hon. member will remember the Act provided that

temporary transfer might be made as soon as the company building the road from New Glasgow eastward had expended not less than \$400,000 on the line, and had given security to the satisfaction of the Government that it would be properly stocked and worked. The money has been expended and we have the certificate of the Nova Scotia Government to that effect; but the other conditions may not be complied with at an early date. In the meantime we are not satisfied at what date the road can be transferred, or whether we can have security, at an early day, to the satisfaction of the Government, as to the management of the line, and until such time as they have completed the whole—that condition being the paramount one which governs the transfer of the road—the transfer cannot be completed. I ask that the motion should not be proceeded with on that account; at all events, no information could be given other than what I have stated.

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

#### THE THOUSAND ISLANDS.

##### MOTION FOR STATEMENT OF SALES OR LEASES.

MR. JONES (South Leeds) moved for a statement of all sales or leases of the islands in the River St. Lawrence lying between Brockville and Kingston, known as "The Thousand Islands," during the years 1874-5, 1875-6 and 1876-7; showing what islands or parts of islands were sold or leased; names of said islands; quantity of land in each sold or leased; time for such leases or sales to run; the names of purchasers or lessees, with the amount to be paid *en bloc*, or per acre, for such purchases or leases. He said that many of the islands were of considerable area, containing from five to one thousand, or even two thousand acres, and had been converted into fine farms. Contiguous to those were very small islands containing from half an acre to three acres, and the persons occupying farms had endeavoured to make arrangements for their purchase from the Government. He made application in 1876, on behalf of his constituents for some of those small islands. He

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was told by the then Minister of the Interior (Mr. Laird) that the islands were not for sale or lease, and that the Government had not yet finally determined what they would do with them, but that probably the smaller islands would be sold under the hammer. In 1876 and 1877 some of the islands had been leased or sold, and he submitted the present motion in order to ascertain the probable disposition of the islands, which some of the farmers had used for pasturage for 80 years, and in order that the islands might not be sold over their heads without their knowledge. Opposite the town where he lived and within a short distance of his house, an island had been leased for 99 years; the lease had been granted to a respectable person and no great harm was done. Some of the islands, however, were now used for shebeens and more might be used for similar purposes. A complaint had been forwarded to him by a person who had made an application for a small island lying contiguous to his farm, that he had been brought before a Justice for having taken loose granite from an adjoining island to build a fence, and he had been fined \$20. He would be glad to ascertain from the Government what disposition was proposed to be made of the Thousand Islands, which it was desirable should be maintained as a General Park for the Dominion.

MR. MACKENZIE: The policy of the Government, in the first place, was to preserve the timber, without which the beauty of the islands was, in great measure, destroyed. Several years ago we found that people came there, carelessly cut down the timber, and carried it off for various purposes; and we employed an additional officer to guard the islands and prevent the wanton destruction which was destroying the actual beauty of the scenery. With regard to the final disposal of many of the islands, there is a difficulty; the desire of the Government was to retain all the small islands, at all events, and those which were comparatively worthless for agricultural purposes, in their natural state. On the other hand, it is to be remembered that the islands are now private property, that is, the

property of the Indians; and we can hardly expect the Indians, who are the owners of the land, to give up the whole of these islands for national park purposes; and it has been somewhat difficult, on that account, to arrive at a definite conclusion as to what to do in the matter; but, in the meantime, no new leases have been issued, I think, for over two years.

MR. JONES: I beg your pardon.

MR. MACKENZIE: Does the hon. gentleman say that there were new leases?

MR. JONES: Yes.

MR. MACKENZIE: There were leases reissued, even within the last year, to people who held them formerly.

MR. JONES: But new leases were issued.

MR. MACKENZIE: I think that none were issued during last year. I am almost certain of that; but, in some cases, leases were given to parties. I think that some were given to leading members of the Civil Service here for the very purpose of protecting the islands, they undertaking to protect the property from wanton destruction. At all events, there is no intention to lease them or sell them, if means by which they can be preserved and kept in their natural state can be found, excepting those, of course, which are capable of cultivation and of having artificial beauty imparted to them by cultivation. The policy of dealing with the Indians is a matter not finally determined upon, and that interposes a difficulty, which, I am sure the hon. gentleman will appreciate in connection with the preservation of the park features of the islands.

*Motion agreed to.*

#### COLLINGWOOD HARBOUR.

##### MOTION FOR PAPERS.

SIR JOHN A. MACDONALD, for Mr. McCARTHY, moved for a copy of the Order or Orders in Council

"1. Relative to the agreement or terms upon which the grant was made and the money expended upon the new Breakwater and dredging at Collingwood Harbour in the Province of Ontario.

"2. The Order or Orders in Council directing the discontinuance of said works or either of them.

"3. The total amount expended on said work, distinguishing the sum paid for, or in connection with the Breakwater, from that (if any) expended on dredging.

"4. The amount or refund received from the town of Collingwood and the Northern Railway Company, respectively, and the amount (if any) now on hand, to the credit of the said town or the said railway company on account of such work or works.

"5. The petitions from the town of Collingwood or from the inhabitants thereof, or from others, praying for the completion of the said works, to the hon. the Minister of Marine and Fisheries, or the hon. the Minister of Public Works.

"6. All reports of the engineers of the Department of Public Works, as to the probable cost of the said works, the progress made thereon, the probable cost of completing the same, and especially the report or reports of the inspections made during the years 1874 and 1877.

"7. All correspondence between the authorities of the corporation of the said town and the Department of Public Works, relating to the alleged non-fulfilment of the agreement to do the dredging of the said harbour."

*Motion agreed to.*

#### RIDEAU HALL.

##### MOTION FOR STATEMENT.

MR. FARROW, for MR. MITCHELL, moved for a statement showing the total amount expended annually for the years 1872, 1873, 1874, 1875, 1876 and 1877, for the following purposes, viz:—

"1. Additions to and repairs to Rideau Hall.

"2. Upon grounds, out-buildings and erections connected therewith.

"3. Upon water-works, gas and fuel.

"4. Furniture of all kinds.

"5. Travelling expenses of the Governor-General and suite.

"6. Amount of telegraph account.

"7. Also all and any other expenditures that may have been made from the Public Treasury for and in connection with Rideau Hall during said years."

MR. MACKENZIE: Of course the hon. gentleman and the House are entitled, if they choose, to order these expenditures. It will be observed that the statement commences with the year 1872, and comes down to the present time. The intention is quite manifest; and all I have to say is that the House formerly refused, at the request of the Government, to detail travelling

expenses, and this motion is made in order to get at it in another shape. I can only give it in the shape in which the other statement was entered in the Public Accounts.

Motion agreed to.

#### SUPREME COURT BUSINESS.

##### MOTION FOR RETURN.

MR. FARROW, for MR. MITCHELL, moved for a return showing in detail all fees paid by the Department of Justice, or by any other Department, or in connection with the Intercolonial Railway, to counsel and attorneys in connection with any business before the Supreme Court since its formation, and the names of the counsel and attorneys, and the several suits in respect of which such fees were paid.

Motion agreed to.

House adjourned at  
Fifteen minutes after  
Twelve o'clock.

#### HOUSE OF COMMONS.

Tuesday, 2nd April, 1878.

The Speaker took the Chair at Three o'clock.

#### PRAYERS.

#### SECURING ATTENDANCE OF VOTERS AT THE POLLS BILL.

[BILL No. 66.]

(Mr. McDougall, South Renfrew.)

##### FIRST READING.

MR. McDOUGALL (South Renfrew) introduced a Bill (No. 66) To secure the attendance of voters at the elections of members of the Commons. He said his object was to ensure this result in lieu of causing candidates to put themselves in a false position through their agents, who brought persons to vote. It occurred to him there were other duties which electors had to attend to; and he thought that he had provided for them in this Bill. If these provisions were not sufficient, they could be amended in Committee. He admitted that there were other

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duties more important, perhaps, than voting, but, at the same time, it was important that the electors should attend the polls. He believed all would agree with him that if this desirable object could be attained without doing them any injury, it was well that this should be done.

MR. LANGEVIN: Perhaps the hon. gentleman will explain how he proposes to do this.

MR. McDOUGALL said he believed it was conceded both here and in England, that as to the explanation of a Bill on the first reading, what he had said was about as much as could be reasonably expected. The hon. gentleman, when the Bill was printed, would perhaps find any further explanation at the present time unnecessary.

MR. MASSON said he hoped that the hon. member for Chateauguay would not have two weights and measures, but tell the hon. gentleman (Mr. McDougall) that he was making an ambitious attempt to thus impose his views on the House at this late period in the Session, when it was impossible to carry the Bill through. He remembered that the hon. gentleman had made such a statement to his hon. friend from Cardwell (Mr. McCarthy).

MR. HOLTON: This is a little Bill; the other was a big one.

MR. MITCHELL: The hon. gentleman never interferes against his own friends.

SIR JOHN A. MACDONALD: My friend, who introduced the Bill, should carry out the usual practice adopted when a public Bill is introduced. The usual practice is to make a full explanation on the first reading. With private Bills, it is otherwise. If the hon. gentleman will not so inform us, we will have the Bill read.

MR. McDOUGALL said that, so far as he was concerned, he was willing to make the fullest explanation. His reason for not doing so at this particular moment was, because he heard hon. gentlemen expressing the opinion that to give a fuller explanation now would be merely to do what must be done under any circumstances at the second reading.



MR. LANGEVIN asked that the Bill be read.

THE ASSISTANT CLERK read the Bill.

Bill read the first time.

MR. SPEAKER: A very old practice has been revived in this instance, which has been regarded as entirely exploded—in demanding that the Bill be read. This was my impression at the time, but I did not like to say so, because I did not have my hand on the authorities. So late as 1868, a motion was made in the Imperial House of Commons that a Bill be read by the Clerk at the table, and Mr. Speaker explained that it was an exploded practice and not at all customary.

SIR JOHN A. MACDONALD: The Bill is always explained on the first reading.

MR. HOLTON: As a matter of practice, of course, this particular Bill has been disposed of, but I should like to know whether the right of a member to call for the production of a Bill *in extenso* has been exploded with the right to cause the reading of the Bill. The call for the reading of the Bill is usually made with the object of disclosing the fact that the Bill is introduced in blank. Can a Bill be introduced in blank?

MR. SPEAKER: No; it is contrary to the law of all Parliaments that a Bill be introduced in blank.

MR. MASSON: No Bill can be introduced in blank or in an imperfect shape; how then can it be known that a Bill is accepted in perfect shape?

MR. SPEAKER: It can be known by enquiry.

MR. LANGEVIN: There is no rule against reading the Bill.

MR. SPEAKER: There is no rule against it; but the practice has entirely disappeared. In 1868, in the Imperial Parliament, it was asked that a Bill be read, and Mr. Speaker said that it was an exploded practice. It was the old practice.

SIR JOHN A. MACDONALD said that, of course, a motion must be made for leave to introduce a Bill, and, therefore, the House must be informed

whether it was such a Bill as it was willing to grant leave to introduce. The practice in England had always been to explain the Bill on the first reading and at such length that the practice of reading of the Bill itself had become obsolete because the members stated verbally its substance. Consequently, the practice of reading the Bill had fallen into desuetude, but if the other practice of not explaining Bills obtained at all, they must return to the old practice of having them read, so that the House might become informed sufficiently to say whether leave to introduce the Bill should be granted or not.

MR. SPEAKER: If any member chooses to object to a Bill, presuming that it is in blank, it is open to him to call on the Speaker and ascertain whether it is in blank or not; and that being ascertained, of course, if a Bill be in blank, it cannot be introduced in that shape. That is clearly against the rules. I may state that it was usual, on making the motion to introduce public Bills, to explain the object of the Bill and to give the reasons for its introduction; and unless the motion be opposed this is not the proper time for a lengthened debate on its merits. When an important measure is offered by a member, opportunity is then frequently taken to secure a full explanation of its character and objects; but where it is not one of an important character, debate should then be avoided, unless it is expected that the motion for leave to introduce be negatived and no further occasion arise for the discussion. Of course, it lies with the House to say whether it attaches any importance to a Bill or not.

MR. MITCHELL said he thought that this was a very important measure. No measure more important in its character had been introduced this Session. It was intended to compel every citizen to go to the polls, whether he desired or not, whether the voters liked the candidates or not, and whether they had any confidence in the candidates or not. It would also compel voters to go eight or nine miles to the polls to vote. It appeared to him that this was a very important measure; and that, at this late period

of the Session, it required an explanation from the mover.

MR. MCDUGALL: I understand that the question is disposed of. I do not think that the hon. member has a right to discuss it now, nor would I have a right to do so.

MR. SPEAKER: Really, there is no question of any kind before the House. This matter is disposed of; but, as a practice of a very old character was introduced anew in the House, I thought it my duty to state to the House what the practice was. There is no question before the chair. I did not make any observation as to the importance of the measure.

MR. MITCHELL said he rose in self-justification. With regard to the proposition which the Speaker had propounded to the House with relation to what was the practice, he had risen to say that it was only with matters of importance, as was stated by May, that the House dealt in this connection. He had merely called attention to the fact that this was an important measure.

#### THE AUDITOR-GENERAL.

##### RESOLUTION CONCURRED IN.

Order for receiving Report of Committee of Whole on Resolution: That it is expedient to appoint an officer to be called the Auditor-General of Canada, salary not to exceed thirty-two hundred dollars per annum, *read*.

SIR JOHN A. MACDONALD asked the amount of salary of the present Auditor.

MR. CARTWRIGHT said the offices of Auditor and Deputy Minister of Finance were combined, the joint salary being \$3,200. He did not think that any salary was attached to the Auditor-General's office. He was treated as the deputy-head, and originally put on the same footing as other deputy-heads. Subsequent to the passage of the Act of 1871, whereby the office of Deputy Inspector-General was abolished, the Deputy Minister of Finance and the Auditor-General had been combined. The present Deputy Minister of Finance had, he believed, a further sum of \$1,000 as Secretary to the Treasury.

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SIR JOHN A. MACDONALD: Then, in future, the Auditor will be a separate official from the Deputy Minister of Finance?

MR. CARTWRIGHT: Yes. Then there is another Bill before the House which repeals the office of Receiver-General, and dissociates the offices of Minister of Justice and Attorney-General.

MR. MITCHELL: I do not understand whether my hon. friend intends to increase the charges by this Act, but I suppose he wants to legislate my old friend, the Receiver-General, out of office. Will the Bill involve an increased expenditure?

MR. CARTWRIGHT: It will not.

Resolution *read the first and second times and agreed to*.

#### RECEIVER-GENERAL AND ATTORNEY GENERAL BILL.—[BILL No. 51.]

(*Mr. Laflamme.*)

##### SECOND READING.

Order for second reading *read*.

MR. LAFLAMME said the Bill provided for the abolition of the Receiver-General's office as a separate department, and its annexation to the Department of Finance. It was really dependent on the Finance Department, and its being merged therein would be of great advantage to the public service. The nature of the duties devolving on that Department were defined by Statute, and this Bill merely indicated that the office would be transferred to the Department of Finance, the Deputy Minister of Finance being entrusted with the powers now possessed by the Receiver-General. The first two sections of the Bill referred to the Receiver-General's office, but in the third section it was provided that the office of the Minister of Justice shall be sub-divided into two distinct branches. This was found to be necessary in consequence of the increased amount of work which devolved upon the Department since 1869. The Department, moreover, had charge of the penitentiaries, the amount of business in connection with which was daily increasing and required proper attention. It would be obvious, no doubt, to

every member of the House, that the ordinary legal business had also so increased that this alteration was necessary in order to secure its proper surveillance. To show this increase of business clearly, he would refer to a few statistics since Confederation. In 1869 the registered references were 1,693; in 1872 they were only 1,971, being an increase merely of 178; in 1873 the registered references amounted to 2,753; in 1874 to 3,403; in 1875 to 3,320; in 1876 to 4,344, and in 1877 it reached the amount of over 5,700. The correspondence in 1875 covered only 3,000 pages; in 1877, 9,000; while taking the last twelve months the volume contained 10,024 pages. It would, therefore, be obvious to every one that it was necessary to reorganize this Department. It might be objected to the proposition that in England the Minister of Justice and Attorney-General were represented by Attorney-General and Solicitor-General, but there would, under the new Bill, be this qualification: that the Attorney-General would have charge of all the Crown prosecutions formerly entrusted to the Minister of Justice, so that the duties of the two offices, when separated, would be clearly defined. There could be no confusion from the creation of this additional office as all the correspondence would be retained in Department of the Minister of Justice. In England, however, it had been the rule that the Attorney-General, as legal adviser of the Crown, should be outside the Ministry. In several of the British colonies the same rule had been followed, but in New Zealand the same system as that proposed in this Bill had been adopted. There was no other colony where this subdivision of the offices of Minister of Justice and Attorney-General existed, but in several colonies the offices of Attorney-General and Solicitor-General had been maintained as in England. The change proposed by this Bill was one merely in name, as far as the difference between the practice of the Dominion and that of England was concerned.

Mr. MITCHELL said he had grave objections to the passage of this Bill.

He would not enter into the various matters which the hon. gentleman had explained to the House, as to the necessities for the proposed change in the Department of Justice. He was not prepared to say whether that change was necessary or not, but he would say that there was too much legal influence in the House already. Members of the legal profession had too much Parliamentary influence in the country, and he objected to the Bill on the ground that it tended to take away from laymen positions to which they were entitled in the administration. When he looked round and saw the amount of influence possessed by the lawyers in this House, and the way legal gentlemen monopolized positions, and desired to extend that monopoly to every emolument and office in the country, he could not but consider this as another effort of the Government to swamp the independent laymen of the country and maintain and extend the monopoly of the lawyers. Why should this old officer, the Receiver-General, who was one of the best men in the House, though he did not say much, be legislated out of existence? He thought it was very bad taste on the part of the Minister of Justice to take such a course with respect to his colleague, and one that he should be ashamed of being placed on record. As to the abolition of the office itself, he (Mr. Mitchell) did not object to it, but he strongly objected to see the offices of the country monopolized by the legal sharks of this House.

Several Hon. MEMBERS: Order.

Mr. MITCHELL said it was well known that lawyers were always called land sharks; but, joking aside, he must say that he did not approve of this change. He did not see any necessity for another legal officer in the House. If they found the Minister of Justice overworked then there would be some reason for it. But the hon. gentleman had made no complaint of this kind, and they had had other Ministers of Justice, the present Chief Justice Dorion, and the present Judge Fournier, and the hon. gentleman's immediate predecessors. He had not heard from any of these a statement that they were overworked, and he, there-

fore, saw no reason why the Department should be divided and another Department created for some needy legal hanger-on of the Administration. That the office of Receiver-General might not be necessary, he quite admitted. He was not going to stand up for the maintenance of an office which public opinion seemed to consider unnecessary, and he admitted that the office of Receiver-General might very properly be merged in the Department of Finance; but why should the Government think it necessary to create another legal officer, unless it was simply to provide an office for some one of their legal followers. The Government, before they asked this House to approve of the Bill, must show that such additional legal assistance was necessary, that the Department of the Minister of Justice was over-worked. He (Mr. Mitchell) never found it so during the Administration of which he was a member for seven years, and he had heard no complaints from the gentlemen who had held that office at any time. About the only Minister of Justice who gave him satisfaction in that capacity was the Hon. Mr. Justice Fournier. He had occasion to apply to that gentleman once, and he had the case promptly dealt with; and he believed Mr. Fournier discharged the duties of the Department very well. What, then, were the facts that the Government had to show to this Parliament, and to the country, as the reasons for creating another Department? He did not know the hon. gentlemen whom the Government was desirous of bringing into office. Rumour said they desired to bring in the present Premier of Ontario as Attorney-General. He was not prepared to say whether that was so or not, but such was rumour. He was quite satisfied that such an officer was unnecessary; the present Minister of Justice, he was satisfied, was quite able to do the work. If that hon. gentleman would frankly state to the House that he was unable to do it, hon. members would have some grounds for considering it. He (Mr. Mitchell) was opposed to the creation of office for the purpose of strengthening the hands of any Ministry, and he did not see why the hon. member for Shelbourne (Mr. Coffin) should be made

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one of the political stools of this Administration. They took a more summary way with Mr. Ross, the late Minister of Militia. They said, "You must go; you must walk out;" but in the present instance, they said, "We will legislate you out of existence; we will bury you quietly." However, they had determined to abolish the office of Receiver-General, and, as he said before, it might be advisable; but he must enter his protest against attaching to the expenditure of this country \$10,000 or \$12,000 annually for an Attorney-General, when, for years, the Minister of Justice had been sufficient, and was sufficient at the present time. The business had been behind-hand sometimes, the business of all Departments might get behind from neglect; but if the hon. Minister chose to attend to his work he was quite able to perform the duties of that Department. There seemed to be a little incongruity in this Bill. There were two points which struck him as very peculiar. First, they had it provided in the 6th Section that the Deputy Minister of Justice might also be Deputy to the Attorney-General of Canada. Now, they had it on scriptural authority that a man could not serve two masters, and he believed that one officer could not serve as deputy to the Minister of Justice and to the gentleman coming in as Attorney-General at the same time. This was a new feature in the departmental life of Canada. They had had two deputies to one head before, but never two heads and only one deputy. This innovation seemed to be quite out of place and he did not think it was calculated to work well. Then, take sections 7 and 8; if any hon. gentleman would read them and inform him what they meant, he would be obliged, for he could not, for the life of him, understand what was meant by them. They were models of composition. The first read:

"The second sub-section of section one of the Act passed in the thirty-first year of Her Majesty's reign (1868), chapter twenty-five and the sixth section of that Act, are hereby respectively amended by inserting after the words 'Minister of Justice' therein, the words 'Attorney-General,' and by striking out the words, 'Receiver-General' where they now occur therein, and inserting the

words 'and Receiver-General' after the words "Minister of Finance."

That was a model of a section. He would now read section 8:—

"On and after a day to be fixed by proclamation under an Order of the Governor in Council, the second section of the Act passed in the thirty-sixth year of Her Majesty's reign (1873), chapter thirty-one, shall be amended by striking out the words 'and Attorney General' after the words 'Minister of Justice,' and by adding the words 'and Receiver General' after the words 'Minister of Finance,' and by striking out the words 'The Receiver General' and substituting in lieu thereof the words 'The Attorney General.'"

If any hon. gentleman would inform him what was their meaning he should be glad, for he had devoted some time to them without being able to understand them. He appealed to the House not to permit another law officer in the House, giving to the legal profession a power they ought not to have, and not to allow even a Liberal Government, an economical Government to create an unnecessary office which would cause an additional expenditure of \$10,000 or 12,000 a year.

SIR JOHN A. MACDONALD said he was opposed the second reading of this Bill. He was opposed to it on principle, because he thought it was a move in the wrong direction. That portion having reference to the office of Attorney-General was certainly not required. As to the abolition of the office of Receiver-General, that, perhaps, was not objectionable. He was quite well aware that the duties of the Receiver-General under the present system were so intimately connected with the Department of Finance that it might well be done away with, supposing that there was a sufficient check on the Finance Department by an efficient system of auditing accounts by an independent officer. In respect to this, there was a little difficulty, arising from the fact that they had several Bills with reference to it, instead of one. They did not know what might be the case; one might pass and the other might not. But in the present case they had the two matters, the abolition of the Receiver-General and the appointment of Attorney-General, presented in one Bill,

so that they might discuss the whole, one question very much depending upon the other. At the same time, he hoped that the abolition of the office of Receiver-General did not carry with it what the hon. member for Northumberland (Mr. Mitchell) apprehended, namely: a provision to legislate out of office the hon. member for Shelbourne (Mr. Coffin).

MR. MITCHELL: That is what it does.

SIR JOHN A. MACDONALD said if it did, it would show the Cabinet was not deserving of the high commendations for unity that had been passed upon it. He was the only one Minister who had never committed a blunder since he had been in office, by word or deed. Not one blunder had been attributed to him. Notwithstanding this, the Government were not satisfied; they thought him, to use a common expression, "too good to live." And so he was abolished; but perhaps there might be a future for him, and the salary might be absorbed in other ways. The hon. gentleman, as a member of that House, had the respect and esteem of all who knew him. But, with respect to the alteration in the Department of Justice, he (Sir John A. Macdonald) thought it was altogether in the wrong direction. He objected, on principle, to having two legal men at the head of two separate Departments, as they were, in a sense, both in the Cabinet. There would at once be a difference of opinion in the Cabinet. There ought to be one legal man as the counsel of the Crown, and only one, as in England. The reason why the Attorney-General in England was not in the Cabinet was because the Lord Chancellor was there. The latter was the keeper of the Queen's conscience; he dealt out advice on all legal matters; he was responsible to the Parliament, the Courts, the public, and the bar. There was a real, tangible responsibility by having one man, of the highest standing, who was responsible before the world. There might be a difference of opinion between the Minister of Justice and the Attorney-General, and he held that, for this reason, it was highly objectionable that

there should be two legal men in the Cabinet. He did not say two lawyers, but two men having a right to speak authoritatively of law connected with the Crown; one should be out of the Cabinet, just the same as in England. The Attorney-General was a high officer, a highly-paid officer, a most important officer, a man who had charge of the administration of the legal affairs of the country, subject to the higher supervision of the Chancellor, but yet he was not in the Cabinet. And he ought not to be in the Cabinet, for fear of a division of responsibility, and a fear that the people would have no legal principle to govern the Government. True, Cabinets were said to be united; well, we knew they were. But look at the state of England now, of the Parliament, the people, and the Press. There was no legal constitutional collision so long as the Cabinet remained together, yet everybody knew there was a war party and a peace party in the Cabinet; Lord Carnarvon, Earl Derby, and formerly Earl Salisbury, representing the peace party; Gathorne Hardy, Lord Beaconsfield and the majority, belonging to the war party. We all knew that; we all knew how the Cabinet was formed; we knew their antecedents—what their previous opinions were; and we supposed, that unless they had undergone some miraculous conversion in being sworn into office, they must have the same opinions. It was highly objectionable, for the same reason as it was highly inexpedient that Courts of Appeals should decide in an uncertain sound, that there should be two leading members of the Cabinet having legal duties to perform, and obliged to be legal advisers, more or less, in their respective Departments. It must produce weakness, vacillation, and want of unity of action. He did not see there was any necessity in the increase of the work, for the creation of these additional offices. He would have said that the Government had a right to claim credit for retrenchment after doing away with the Receiver-General's Department, thinking and believing, and he agreed with them to a certain extent, it had become obsolete, and that there was

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no necessity for a separate Department, at all events, a separate head. That was altogether aside from the general question: The hon. member for Chateauguay, who knew so well the opinion which prevailed in England, was aware there ought to be in every Cabinet some offices without any particular departmental duties attached to them, so that those individuals might be used as handy men to take up any subject of particular interest at the time in connection with the administration of affairs. He did not think the Government could use that argument in defence of keeping up the Receiver-General's Department. He was not at all aware, although the Receiver-General had not many departmental duties to perform, that the Government had utilized his services in any other Department whatever, or on any other subject whatever. He thought the Government could fairly claim, and ought fairly to claim, some credit for the retrenchment of those offices. It was the abolishment of a useless department and a saving to the country. But with their usual should he call it ill luck, they had contrived, while they might have had the credit of making this saving, to spoil it all by dividing the administration of the Department of Justice and giving it to a legal man. As a legal man himself, he was rejoiced to see more avenues to professional advancement and honour than existed before. He thought that lawyers in this country or continent could not complain of not having a full share of political honour and position. But he did not believe the increase of business had been such as to warrant the proposed division. In fact, if, under this Act, the duties of Attorney-General and the duties of Minister of Justice were essentially the same, as was provided in the Act of 1868, which had been carried by the late Administration, the main portion of the increase of work must belong to the Attorney-General's office. There was very little left to do for the Minister of Justice if the Attorney-General had got to do all the work, and he would be obliged to do all the work provided by law. He would be merely a legal adviser, a chamber counsel; to assist in Council, with very

little to do indeed. And yet, strange to say, it was provided that the Minister of Justice, even with the very little he had to do, except as a high legal functionary called upon to give advice to the Crown—the duties were very responsible and ought to require legal attainment, but were not of that continuous every-day work which required a separate Department—was not to do his work alone; the Attorney-General had to do his work. The Minister of Justice, assisted by the Attorney-General, would preside over the Department of Justice. The Minister of Justice, the Chancellor, the keeper of the Vice-Regal conscience in this country, was not even head of his own Department, but was to be assisted by the Attorney-General in the Department of Justice, where there was little practical work to do, while the Minister of Justice had nothing to do with the Attorney-General's Department. The hon. gentleman had said there was an enormous increase of business. The hon. gentleman did not look very much overworked; he did not seem to have suffered in his health. Any Minister of Justice applying himself solely and entirely to the work of his Department could fairly perform it; one man could do it with proper assistance. True, the hon. gentleman stated there had been a large increase of references. How did that occur? He (Sir John A. Macdonald) could easily understand it. It was simply the introduction of a circumlocution system. These matters, he believed, had all been brought to the Minister of Justice. There was a good deal of justification for that circumlocutory process from the fact that the Administration formed in 1873 were, most of them, inexperienced men in the practical working of the administration of affairs; therefore, they went, very properly on first taking office, with uncertain steps, feeling their way, not being willing to take certain responsibilities, which older and more experienced men would consider as routine. The older the present Government became, so long as it retained a reasonable portion of its older members, this necessity for reference would decrease. Take, for instance, the Minister of Customs. He was an able

man, and being an old commercial man, was peculiarly well adapted to that office. But he did not know anything about the general administration of the Customs Act. Questions of law from every collector all over the Dominion came to him, and he was obliged to refer them to the Attorney-General, in order to get a report upon the law respecting them. It was a fact that there were so many Departments taken in charge by men who had no experience, that the references to the Attorney-General's office were increased. The Dominion had not grown so enormously since 1873 as to require an entire, a distinct, and a separate Department. Look back at the Department as he (Sir John A. Macdonald) had left it. If he had simply been Minister of Justice and Attorney-General, he would have had no difficulty in performing the work, and would have had plenty of time besides. He held that Department, and the still more troublesome one, as the hon. member from Lambton had no doubt experienced, of First Minister. He was bound to say the two, or rather the three, were too onerous for one individual. With competent men at the heads of the different Departments, the one holding the office of Minister of Justice, could perform, and would be able to perform, its duties for a long time to come. There was no necessity for an increase of salary. The hon. gentleman said the Department looked after the penitentiaries, which was an enormous affair. Why, looking after the penitentiaries had always existed. When he was Attorney-General of the old Province of Canada, they had not only to look after the penitentiaries in Ontario, but also after every county gaol in the Province of Ontario. That work had certainly not increased. Then, the hon. gentleman had been relieved from the charge of the Mounted Police, rather a troublesome affair, the moral management of which, not the supply and material, should always have remained there. There was no necessity for this Department; it was a causeless division of labour, an unfortunate division of labour. He thought it would work badly; it would be well that the present system should exist, but espe-

cially would it work badly, having two men sitting in the Cabinet. It had been argued by himself, as in former times by hon. gentlemen opposite, that it was not the business of the Opposition of the day to announce a policy. Well, he would tell the hon. gentlemen what his idea was of the proper mode to meet any increase in the work in that Department, and it could be done without an increase of a farthing's expense to the community. He believed that the Minister of Justice should remain still the Attorney-General. As Minister of Justice, he was the adviser of the Crown; as Attorney-General, he was adviser of the Departments of the Government. Those were so closely connected that they were in effect the same thing; there was such a thin line between them they might be considered as the same thing. In both cases they were advisers on legal questions affecting the public interests. The Minister of Justice should remain Attorney-General. There should be an officer to take charge of the general business, who could, if the Government liked, be called Solicitor-General; let him be a member of the Government if they liked. He supposed there were advantages, political advantages, which would override the other advantage of having a fixed Treasury Solicitor or permanent officer. There were political advantages which would, perhaps, incline the House to decide that it would be well that the Solicitor-General should be a political officer and go out with the Government of the day. He should have a subordinate salary of say \$3,000. He should conduct all the exchequer business, either himself, here, at headquarters, or, if at a distance, by agents. The fees of litigation of the Crown should be funded, and out of that fund his salary should be paid. There should be agents in every Province, and each agent should pay a certain portion of the fees to his principal the Solicitor-General, and otherwise should be put into this fund. And that fund should be large enough to pay the salary of the Attorney-General and have a considerable amount over. Besides paying \$3,000 to the Solicitor-General, he should get, out of this fund, for contentious business in which he went into Court and

held a brief, a moderate fee, upon the same principle that a moderate fee was given to the Crown Counsel who go round on circuit and carry on the criminal prosecutions at the different county assizes, so that he might have a real interest in the business. Human nature was human nature. If he got a certain salary and no fee out of the business, and was opposed to counsel whose income depended upon his successful fighting against the Crown officer, the defence would be very apt to be infinitely more vigorous than the prosecution. He (Sir John A. Macdonald) would have a moderate salary, and would have the fees funded, out of which fund the Solicitor-General would be paid his salary and also a regulated fee, naturally more moderate than what would be given to counsel, because the Solicitor-General would receive a fee on every case in which he went into Court. This business, then, would be very well done, the Solicitor-General aiding the Attorney-General in the House and assisting him, not only in the general business of the House, the Government business in the House, but in defending that Department against the numerous attacks which would and ought to be made upon it, as occasion arose. This, in his opinion, would be a reform in the right direction, thus relieving the Minister of Justice, not of the responsibilities (he ought to be responsible for the duties of Minister of Justice and Attorney-General), but from the actual every-day work, the Solicitor's work, and not compel him to go into Court. The Solicitor-General would be a handy man, always ready to go into the business. That fee fund would be sufficient to cover all the expenses and leave a surplus besides. This was the plan he ventured to suggest to the hon. gentleman. He would only offer one remark more; he opposed, as strongly as he could, the idea of having two legal men dividing the responsibility, dividing the work in legal matters.

MR. MACKENZIE said the hon. gentleman had taken one very remarkable point, and had spoken very strongly upon it; indeed, he had made it the chief point of his objection. It was

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this: that it was very objectionable that two officers, known as the law officers of the Crown, should be both members of the same Cabinet. The hon. member had had four members conducting the legal business of the Government in Old Canada, and he never objected to the plan then. Why had it suddenly dawned upon him that it was objectionable now? He also said that certain officers should be appointed in the Government who would be understood not to be confined to particular labour, in order that they might be of general assistance to the Government, such as the President of the Council, no doubt. A legal gentleman, possessed of the qualities requisite in the Attorney-General, would be infinitely more useful to the Government than any layman could possibly be occupying the other positions. The other charge he made, was that the duties of that office had not been increased to the extent represented by the Minister of Justice. The right hon. gentleman must be aware that the change in the laws, and many other incidents connected with recent legislation, had materially increased the duties. The hon. member for South Bruce (Mr. Blake) had, perhaps, a capacity for work more than any other member in the House, and yet his powers were taxed to the very utmost in order to keep up with the duties of his office. The right hon. member for Kingston had said that the hon. gentleman was relieved of the duties connected with the Mounted Police. That was, however, very little relief from the work in the same Department discharged by the right hon. gentleman.

SIR JOHN A. MACDONALD said he did not lay much stress on that.

MR. MACKENZIE said that being the case he would not say more about it, because the duties were only commencing when the right hon. member for Kingston left office. It had been the case that in all the great colonies in the Australasian system officers were appointed to discharge the duties of Attorney-General in connection with those of Minister of Justice. In New Zealand various statutes had been passed with respect to that

particular position. In 1866, when an Attorney-General was appointed under a new system, he was appointed on good behaviour and was not made a political officer. In 1870 it was found necessary to appoint a Minister of Justice, and in that colony the two offices exist at the present time. In 1876 when it was found inconvenient to have an Attorney-General out of Parliament, an Act was passed which made it optional with the Administration of the day either to have the Attorney-General a non-political or political personage; and under the operation of that Act, in the same year, an Attorney-General was appointed as a responsible Minister, having a seat in Parliament, and had so continued to the present time. The same system prevailed in South Australia, where an Attorney-General and a Solicitor-General were in the House in 1855. In 1861, an Act was passed which made it imperative that the Solicitor-General should not sit in Parliament, but in 1866 the Government brought in a measure making it optional whether the Attorney-General should or should not have a seat. That Bill, however, was not passed, although there was a majority in the House for it, because the Constitution required that any change required an absolute majority of the whole of the members. A similar Bill was brought in by a different Administration in 1870, and carried by a majority, but lost in the same way. In South Victoria, from 1855 to 1859, there were nine Ministers to be appointed by the Governor-General, and of those there were to be an Attorney-General and a Solicitor-General, both having charge of the legal Department. In 1875, a Minister of Justice was appointed in that colony, but the Attorney-General was not a member of either House, although he was still holding a political position, and went out with the Government of the day, if the Government should resign or be defeated. In South Wales, the Attorney-General and Solicitor-General were members of the Government and of the House in 1855. An attempt was made in 1872 to make both offices non-political, but that failed. In 1873, a Minister of Justice was appointed, and the Attor-

ney-General's office was made a political one, although he was not a member of the Cabinet. That question had, therefore, been discussed in the great Australian colonies very exhaustively, and it had, also, been discussed on various occasions in England. The ground was taken by some public men, both in Australia and England, that it was not desirable the Attorney-General should be a member of the Government as a responsible Minister, but that idea had evidently not prevailed in any of the colonies, although it had been tried occasionally, as he had shown, but had been ultimately abandoned, and those offices were now in precisely the same position as the offices would be in the present Administration if the Bill carried. As to there not being sufficient work for the two offices, he was quite satisfied that no person acquainted with the duties of the office, as they now required to be performed, could possibly come to that conclusion. It was all very well to deliver a somewhat strong speech against the Bill, but it was a different matter to give facts and statements upon which to base a sound argument against it. There could be no doubt in the mind of any one that the substitution of this office for that of Receiver-General was one that would greatly aid any Administration, in the discharge of its Parliamentary functions particularly. Every Administration must have felt the great want there was under our system of officers charged particularly with the preparation and carrying of Government Bills, particularly those of a legal character. In England that work was all done outside of the Cabinet, by experts employed for that specific purpose. Here, there was no doubt, a Law Clerk, whose special duty was, not to draft Bills for the Government, but to revise and compare Bills which were drafted, with existing Statutes, although sometimes, no doubt, assisting the Department of Justice. But there had been a sore want felt constantly of that legal assistance which was absolutely necessary when Ministers had to sit in Parliament, to attend Committees in the forenoons and attend to the other administrative functions devolving on them by reason of

their office. That was an enormous labour, and he could conceive of nothing that would tend to afford relief more than the appointment of an Attorney-General, who would be charged with many of those duties which members of the Cabinet generally had now to perform. He was sure such an office would have been a great relief to the right hon. member for Kingston during the time he was Premier. It was of still greater importance, when a layman, like himself (Mr. Mackenzie) occupied that position, to have abundant assistance in the direction of legislative preparation, and the conducting of legal business through Parliament, for it was almost impossible as matters now stood, with the legislative functions to perform and the legislative duties to attend to, that any one man could devote that amount of care and attention absolutely necessary in order to carry successfully the measures of an Administration through Parliament, and at the same time perform all the other duties of the office.

MR. TUPPER said there was one reason why, he thought, the present Administration should feel inclined to obtain the assistance of more lawyers. The members of the legal profession had the advantage over laymen, that they were accustomed, and compelled from the very character of their profession, to be prepared to enter the Courts one day with a case, and make an able and eloquent argument in its favour, and on the following day to go into the same Courts with a case antagonistic to that they had so ably argued on the previous day, and make an equally strong case in its favour. If ever a Government stood in the position of requiring advocates who were able to maintain one case one day, and on the following day to show strong reasons for pursuing the very opposite line, it was the Administration which had submitted this Bill to Parliament. Take the very question under consideration. No one could forget that while hon. gentlemen opposite occupied seats on the Opposition side of the House for six years, the then Government were continually subjected to the charge of inflicting upon the country an alto-

gether unnecessary amount of expenditure in connection with the number of the Ministers. Those hon. gentlemen affirmed that argument in the House, and reiterated, with equal vehemence on public platforms, the charge that the Government were wasting the public revenues of the country by furnishing salaries for an unnecessary number of Ministers. And they brought what appeared to be strong and cogent arguments in support of that view. They asked the people to look across the borders, where forty millions, instead of four, were ably governed by an administration of seven members instead of fourteen, and they naturally reasoned that if forty millions could be successfully governed by an administration of seven members, it was altogether unnecessary to have thirteen Ministers to govern four millions. The time at length came when the responsibility of governing the country was cast upon those hon. gentlemen. The plea put forward for their subsequent action was that, when they made those statements the Government had then only four millions to govern, and the country comprised only Ontario, Quebec, Nova Scotia and New Brunswick, but the Dominion had been extended by the addition of the North-West Territories, British Columbia and Prince Edward Island, and the case was changed. But the case was not changed. Those hon. gentlemen knew right well that from the commencement of Confederation it was contemplated to bring all the British North American Provinces within the Dominion; and, therefore, that formed no justification for having adopted the change they did in relation to that question. Having defined a line of policy entirely opposed to that they had advocated when in Opposition, and having adopted a position on that subject utterly at variance with the principles they had formerly laid down, it was not surprising that hon. gentlemen opposite should require such a recast of the Cabinet as would give them more of that kind of talent specially adapted to meet the same case from different points of view, and one day reason in its favour, and the next day against, it with equal success. No doubt when those hon. gentlemen were

in Opposition, they succeeded in convincing their friends and supporters not only that they were quite sincere, but that all the arguments they adduced were conclusive and unanswerable. There was no doubt those hon. gentlemen would be equally able today to justify to the judgment of their friends and supporters that an entire right-about face, a complete change of front, and thorough repudiation of the principles they held when in Opposition, was also sustained by unanswerable argument and commended itself to the intelligence of the country. But they would find a great many people who would not be so ready to change with the changing breeze, not so ready to adopt whatever principles might suit the Administration of the day to present for their consideration, utterly irrespective of the principles they had advocated, and succeeded in convincing their followers were correct the previous day. A feature of the Bill which would commend itself to every member of the House was the abolition of the office of Receiver-General. It was quite true there was very considerable advantage in having certain offices in an Administration that were not charged with a great amount of departmental duty, because it left the talents and abilities of such officers at the disposal of the Prime Minister on any great important measure with which they might be called to deal. But there was this fatal and insurmountable objection to offices in a Cabinet that did not necessarily involve great abilities in order to discharge the duties, that office was sought after by men who never should be Cabinet Ministers in Canada. The Cabinet of a country ought not to be larger than were the necessities of the country, and not larger than to include the smallest number of able men who were able to perform the duties. Therefore, it was mischievous in the highest degree to have any office in the Administration that did not require such ability as a Cabinet member of the Dominion of Canada should possess. The honour and character of the country was at stake in such matter, and the moment the Government had a Cabinet office recognized to be a sinecure, they were

open to the pressure of friends for the appointment of certain individuals who never would have been pressed upon them, if the duties of the office necessarily involved such an amount of ability and talent as Ministers of this country should undoubtedly possess. He held it to be a wise and judicious procedure on the part of the Government to have abolished an office which had been regarded, and properly so, as, to a very large extent, a sinecure. But it would require a vast amount of reasoning, more than had yet been offered, to show that the substitution of the plan proposed by the Government was a wise one. He held it to be altogether at variance with the facts as they existed, with the history of the matter and past experience in regard to it. He could see no objection to the plan proposed by the right hon. member for Kingston, that a Solicitor-General should be substituted, he not being given a seat in the Cabinet, for his appointment would entail no increased cost to the country, because he would be charged with duties now performed by persons outside of the Government, and for which the public money was paid.

MR. MACKENZIE: What good would that do?

MR. TUPPER said it would do this good: it would give the Government the services of a legal officer who might not only be employed in the discharge of those special duties, but questions on which the Premier desired to obtain a legal opinion might be submitted to him. The appointment of such an officer would not increase the number of Cabinet members, and his legal talents would be available to the Government without incurring any increased cost to the country. As he had said, the objection to the Bill was that it involved an unnecessary increase in the number of Cabinet Ministers. He would not enter into the question connected with the attacks made on the late Government respecting the number of Ministers, but simply called attention to the fact that so soon as those hon. gentlemen were called upon to form an Administration, they increased the number of Ministers. He desired to know if the

office of Receiver-General could be abolished; if not, why was it necessary to create another Minister, and that in the Department of Justice? Let him call the attention of the House to the position in which the question stood to-day. When the right hon. member for Kingston was Minister of Justice, he was found equal to the discharge of the duties. The fact was he had not only the duties of the office of Attorney-General, as they were now performed, but he had, in addition, the Mounted Police organization.

MR. MACKENZIE: No.

MR. TUPPER said that the hon. the First Minister said "no;" but he would tell the hon. gentlemen that through the incumbency of his right hon. friend, all the enormous work connected with the organization of the Force was performed.

MR. MACKENZIE: Hear, hear.

MR. TUPPER: Yes; and I know all about it.

MR. MACKENZIE: So do I.

MR. TUPPER said he knew that in this Department the enormous work connected with the organization of the Mounted Police Force was arranged, and when the hon. gentlemen opposite came into power, they found the whole matter cut and dried to their hand.

MR. MACKENZIE: No.

MR. TUPPER: That is a fact.

MR. MACKENZIE: No.

MR. TUPPER: They found a large force enlisted and despatched to the North-West, and the whole question, in all its bearings, dealt with by his right hon. friend, the late Minister of Justice and his Department, and that in a most vigorous and effective and thorough manner. This was the condition of affairs at the time; and it was only after his right hon. friend was relieved from the discharge of these duties that the Mounted Police Force and all the great and very large amount of work connected with the service—and these were never larger than when it was in its incipient state of organization—was transferred to the Department of the Secretary of State. So there was no excuse for this

MR. TUPPER.

change. If the business had increased in other respects, so also had the Department been relieved by the transfer of this large branch of the work that had been connected with the office to another Department. But was it to be forgotten that his right hon. friend not only discharged the duties of Minister of Justice and Attorney-General, embracing, as they did, the whole management and control connected with not only the general organization of the Mounted Police Force, but all the ministerial part of the functions connected with this organization—but also, at that time, was the Prime Minister of the country. He had no hesitation in saying that the duties were very onerous; and he was astonished when he read the speech of the hon. member for South Bruce at Teeswater, in which the hon. gentleman went into a statement that, he thought, was scarcely worthy of the hon. gentleman's attention at such great length—in reference to the amount of telegraphing and contingent expenditure that had been connected with the office of the Minister of Justice, and drew a most unfair comparison between his own administration of the office and the administration of his right hon. friend. It was unworthy of the great talents and high position of the then Minister of Justice to descend, as he thought the hon. gentleman did, to the most unfair representation in reference to this matter. He had no hesitation in saying—and he spoke from a personal knowledge of public affairs for about twenty-four years, some considerable portion of which had been spent in a position to give him some knowledge of the duties and responsibilities and demands upon one's time and purse connected with the matters—that the hon. member for South Bruce not only ignored the fact that during the whole tenure of office by the right hon. gentleman until the last few months he was relieved from its duties, the right hon. gentleman received a salary of \$5,000 instead of \$7,000; and, if the hon. gentleman did not ignore the fact, it was altogether lost sight of in the comparison which he made respecting the duties discharged by a Prime Minister when he was Minister of Justice,

which involved more expenditure for telegraphing, and in relation to the contingent expenditures of the office, than the contingencies and telegraphing connected with the office of Minister of Justice.

MR. BLAKE: Hear, hear.

MR. TUPPER said the hon. gentleman said "hear, hear," but he spoke advisedly when he said that while the Minister of Justice and the Minister of the Interior and the Minister of Finance were open to be communicated with and bombarded with telegrams from all parts of the Dominion in regard to the limited duties that came under their administration, whoever was the First Minister in this country was open; and not only open, but constantly so, to be communicated with by telegram and in every other way by parties from one end of this wide Dominion to the other, not in connection with the duties of the office of Minister of Justice, but in connection with the general administration of affairs. A party might feel aggrieved with reference to communications with the Minister of Public Works or the Minister of the Interior or any other of the other twelve,—and what was his first act? He appealed at once to the First Minister and sent a lengthy telegram to state his case, enquire what was to be done under the circumstances, and to call upon him for interference; so the hon. member for South Bruce, he thought, had lost sight of the fact, which if he had given sufficient weight and consideration to it, would have prevented him, under the circumstances, from drawing an unfavourable contrast and dwelling on a matter, and with relation to circumstances, that, considering the great questions then occupying the public attention of this country, were thus rendered comparatively insignificant. He would say merely that every word which the hon. member for South Bruce uttered in his own vindication and in placing himself at an advantage in regard to this comparison with his right hon. friend, was a censure on the hon. gentleman's chief. If the hon. gentleman had taken up the Public Accounts and examined these very expenditures connected with the Depart-

ment of Public Works, and the other Departments, he would have found that every word and all the credit which he had taken to himself, and unfairly taken to himself, with relation to this matter, formed a censure of the strongest character with regard to the enormous extravagance and the over-expenditures which, by that line of argument, the hon. gentleman established against the hon. the Prime Minister and every one of his colleagues. The speech which the hon. member for South Bruce had made a few days ago had thrown, to his mind, the only light that had yet been cast on this extraordinary proposition, for he maintained that it was an extraordinary proposition for a party and a Government which denounced the present number of Cabinet Ministers as being altogether unnecessary, and claimed that seven were enough, and that nine was the outside number. Under these circumstances it was an extraordinary proposition for these gentlemen to bring forward the division of the office connected with the Administration of Justice. After they had denuded it of a large portion of its duties, and after, he believed, it was not contemplated that this office should be held in connection with the onerous and responsible and important office of the First Minister of the country,—under these circumstances there was no ray of light thrown upon this question but the laboured speech made on a former occasion by the hon. member for South Bruce; and this was on the occasion when the hon. gentleman maintained the right of the Minister of Justice of this country to practice his profession in the Courts of law while holding that office. If it were held that the Minister of Justice—and the hon. gentleman seemed to think that the only means by which such an amount of legal ability, and ability of such a high character as this office required, could be obtained would be by avoiding dis-serving the gentleman who filled the office from his own private professional duties which he owed to himself, and his clients—could do this, if this was sound doctrine and held and accepted as such, and the Government con-

curred in this view, he could then understand that this was a preliminary to the relieving of the Minister of Justice from almost all his duties, while another and a highly paid officer was brought into the Government, involving an enormous additional expense to the country; thus relieving that high functionary from the duties of Minister of Justice and allowing him to go into the Courts and practice his own private business and profession. He might say at the outset, he was afraid that his right hon. friend would disagree with him on this point; but he held the opinion—and he would do a violation to his opinion on this point if he did not state it—that a greater impropriety could not be perpetrated in this country. The very foundation of the administration of law and of the maintenance of the rights of the Bar in this country was that every barrister went before the Courts standing upon an equal footing, as far as his abilities and the knowledge of his profession that he possessed, allowed. The very foundation of the administration of justice, as it touched the right of every suitor in this country, must rest on the principle that, standing in the presence of the Courts, every advocate stood in precisely the same position, and obtained the justice for his clients that every just and fair consideration for his clients, as far as his ability and position went, would entitle him to; and it would be a fatal mistake to take any course that, while it did not touch in the least degree the rights of clients, would create, and necessarily create, a feeling among the Bar that they did not stand on an equal footing in presence of the Judge,—a feeling on the part of clients and the great mass of the people compelled to go into the Courts that their position was not such as would entitle them to fair, open and impartial justice. The very fact, and they could never dissever this from the position of Minister of Justice, that he was clothed with almost supreme power in this country in reference to promotions to and on the Bench, that enormous patronage was thrown into the hands of an officer powerful as this Minister, created the feeling—however unwillingly it might be—that there

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would be an insensible operation in the mind of the Judge, whose own interests were in the scale as well as those of the clients, in favor of the Minister; and if this feeling could creep in among the high-minded members of the legal profession, and he believed that it would, what would they say as to the great mass of the uninformed people of the country, who were forced to go into the Courts, and very often in reference to their dearest rights? There would be a feeling of complete insecurity, and where the Judge decided in favour of the Minister of Justice or of the claim and plea and advocacy of the Minister of Justice, upon whom his own promotion depended, the party who was decided against would be convinced in many cases, that had that decision been rendered altogether regardless and apart from the position of the Minister of Justice, who was standing in the presence of the Judge, it would have been a different one. He (Mr. Tupper) spoke for himself alone in regard to this matter, and he held the strongest opinions in this respect. He, consequently, regretted very much that the hon. member for South Bruce, so high an authority—who had conformed his practice, he (Mr. Tupper) was bound to say, to the loudly-uttered public sentiment of the country, and felt it due to that public sentiment, which, no doubt, was the sound practice—say that the Minister of Justice should be open to pursue his private professional practice in the Courts; and, in fact, that it was necessary he should be allowed to do so, in order to obtain such an amount of ability and talent for that office as it was in the interest of the country to secure. He believed that it would be possible to do so; and that the high position this office conferred, and the great legal distinction and the great power that it gave, and the enormous patronage with which it invested the Minister, would be quite sufficient to induce gentlemen to accept the position, and the past had shown that the country could command, and had commanded, the very highest professional talent in this country for the office of Minister of Justice. He believed that they need have no fear as to the future in

this respect, that the same thing would be found to be true, and that gentlemen, however high and however great their personal emoluments were to them, had their ambitions and desires for a wider field of usefulness, and scope of influence, who would be found ready to accept it. The greatness of the position itself warranted this belief, and it was an infinitely greater position when filled irrespective of devotion to one's private interests, than if these were constantly commingled. He considered that it would be a fatal mistake to permit the practice in question to obtain. Every person knew of, and the hon. the Minister of Justice had borne testimony to, the large amount of work that was in this Department; and if a Minister of Justice of the highest standing and the highest legal ability, and one of the first men in the profession, found that these duties were too onerous, what would be said, and how would he attempt to perform these duties at all, if he was in a position to be constantly urged, as he would be, and sought after, as would be the case in consequence of his great ability, to go into the country from one end of it to the other, in order to pursue his private professional business; having his mind not only so occupied, but, also, his time. He (Mr. Tupper) maintained that the country was entitled to obtain, in consideration of the position this Minister held, all his time. Private work would make a demand upon his intellectual power such as would render him utterly unequal to the discharge, in the way they ought to be discharged, of the great and important duties relating to the office of Minister of Justice. He did not intend to prolong this discussion. This was a question on which a layman ought almost apologize for offering an expression of opinion to the House; but he could not, as a member of the House, see a change made, which he regarded as one of the highest moment, and made, as he believed, in the wrong direction, and in a way that would be prejudicial to the public interests, involving, as it did, a very large and increased charge on the public revenue of the country, without uttering, as far as he was concerned, a strong

expression of the opinions he entertained on the subject.

MR. BLAKE said he had not intended to take part in the debate, but, after the observations which had fallen from the hon. member for Cumberland, perhaps the House would permit him to say a very few words on the subject. The hon. member had, throughout the thread of his speech and at its close, argued as if the Bill which was now before them proposed a very large increase in the public burdens. He would not use the hard words which the hon. gentleman used with reference to the statements of his opponents, but he would appeal to Mr. Speaker and every hon. member whether this was a correct statement regarding this measure, which proposed to abolish one separate office and create another. It proposed no addition to the public expense, but rather a diminution of it, inasmuch as it proposed the appointment of a new Cabinet Minister, who should not have a separate Department, and who should not be at the head of a separate Department, but who should preside concurrently with an existing Cabinet Minister over an existing Department, and that, by an exercise of economy, which the hon. member for Northumberland thought unwise, and said was entirely unprecedented, he should be supplied with the same Deputy. The hon. gentleman said he had heard of one Minister having two Deputies, but the idea of two Ministers having one Deputy, was a thing which he objected to, and he (Mr. Blake) supposed on constitutional and economical grounds. It was not correct to allege that the measure now before them proposed an increase to the public burthens. On the contrary, as he had pointed out with reference to the political charge, it left things as they were. With reference to the staff of the two political officers dealt with, one by removal and the other by creation, in this Bill, it proposed an economy. A suggestion had been made that there was a great difficulty in there being two legal officers; that it would throw a doubt on the public mind as to whether there was division in the camp; and that the weight which was at present

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attached to the opinion of one law officer of the Crown, standing in the high position of Minister of Justice, would be diminished in consequence of a suspicion on the part of the public that this officer's opinion was dissented from by the other legal officers of the Government. It did seem to him that this was criticism run mad. It was ridiculous in the extreme to suggest that there should be less weight in a legal discussion announced by one or other of those high law officers of the Government, because there existed another high officer of the Government, who must be presumed to concur in that decision, and must be presumed to add and not diminish the weight due to it. But he might point out to the House that, although this had not yet been achieved in England, and although in England there was a different system at present of providing the legal assistance required by the Government, yet, for many years, it had been agitated by those who had the best means of learning, or rather comprehending the difficulties under which the present system placed the Government before the country and the Parliament, that there should be an office of Minister of Justice created there, notwithstanding the existence of the Lord Chancellor also, that there should be another office created, the high State office of Minister of Justice—who should be a political officer, a member of the Cabinet, and having a seat in the House of Commons.

SIR JOHN A. MACDONALD: Hear, hear.

MR. BLAKE said he regarded the proposed change as one of very great importance, not merely with reference to the discharge of the executive and administrative functions of the Government, which were but partially discharged, but chiefly with reference to the disposition of that not unimportant portion of the duty of the Government in connection with the initiation and control of a large portion of the legislation passed through Parliament. In a Parliament which sat as ours did for a short time, where the members lived at high pressure for two months, or a week or



two longer, where they were called upon to refer, consider and correct the legislation of a large country such as this had been since its consolidation by the Union, a country with various laws, customs and modes of shipping—he referred particularly to the difference which existed between the law of Quebec and that of the other Provinces—it was of the highest consequence that the Government, that the Parliament, that the country should be provided with more than one high legal officer in order that those responsibilities connected with the framing of legislation, such as that to which he had adverted, ought to be efficiently discharged. It was surely impossible for any one man, no matter how great his ability, to accomplish, during a Session, the whole of the business assigned to him. No man who held a high political position, no matter how great his talent, could succeed in accomplishing all that business. This was shown very forcibly by the remarks made the other evening by the hon. member for Kingston, when he pointed out that the great increase of work which had taken place necessitated the prolongation of the Parliamentary Session. Perhaps he (Mr. Blake) might be permitted to observe that he was not, in making this quotation from the hon. gentleman's remarks, prompted by the same purpose which actuated the hon. member for Cumberland when he committed the irregularity of referring to some statements made by him (Mr. Blake) in the course of a former debate. The proposal of the Government was not to increase the public burthens; they wished to secure the proper supervision of the legislation of the country. Their policy was to abolish an office which was admittedly a sinecure, and sub-divide one which was acknowledged to be a very onerous one, the duties connected with which had certainly become too heavy. It was said this was a proposal to increase the number of lawyers in the Cabinet. Such was not the case. He quite agreed with what had been said as to the prominent position taken by members of the Bar in the Governments of all foreign countries. He believed it would be found that an undue propor-

tion of lawyers held prominent places in the councils of their country, and it was the case even under the Administration of the right hon. member for Kingston, a majority of whose Cabinet consisted of legal men. He believed that, at one time, ten or eleven, out of thirteen, were either lawyers or notaries, and that the present Cabinet contained fewer lawyers than the Cabinet of the right hon. member for Kingston ordinarily contained. To say, therefore, that the existence of two legal offices in the Cabinet would give members of the profession an undue advantage over laymen, was preposterous. The hon. member for Cumberland had referred to a speech which he (Mr. Blake) had delivered out of Session, also to a few observations which he had made in reply to the hon. member for Frontenac. On the latter occasion, he (Mr. Blake) had thought it his duty to state his opinion as to the proper view to be taken of the subject which the hon. gentleman had brought before the House—a subject which was not then in controversy. The hon. gentleman said he had conformed his practice to what was the loudly expressed opinion of the country. The hon. gentleman, however, evidently confounded the articles of the Tory press, with the loudly expressed opinion of this country, and he (Mr. Blake) could assure him that he had no regard for them whatever. He explained the circumstances under which he had confined his attention exclusively to the duties of his office and the circumstances under which, for a short time, he did not so confine it. He would, however, repeat the explanation. For a short time after he accepted office he assisted in the winding up of some business in which he was connected, but finding very soon that the duties of his office demanded all his time and attention, and believing that his first consideration should be to discharge the functions which he had undertaken, he devoted himself exclusively to them. It was not by any means because the newspapers which the hon. gentleman controlled, and which, he believed, represented the public opinion of this country, that he changed his course, because he paid no

more attention to them than he did to *viva voce* expressions of the same opinions as they promulgated. The hon. gentleman had taken up a line which he (Mr. Blake) failed to notice before. He regretted that the hon. gentleman should have so humble an opinion of the profession to which it was his (Mr. Blake's) pride and honor to belong, and the Bar at which it had been his pride and pleasure to practice. He supposed that members of the Bar in a free and enlightened country considered themselves as all being on an equal footing, whether they happened to be Minister of Justice or the humblest member of it. No one in this country, however high his position politically, had any rights before the Court except that the possession of a silk gown gave its owner the privilege to be first called. Beyond this, he had no greater rights than the man who was called to the Bar the day before. No matter whether a man wore a silk or a stuff gown, he must depend for his position on his success before the jurors and the community at large. It was, therefore, an unworthy insult to the Bar that any member of it could, for a moment, think so humbly of the profession to which he belonged. A man's arguments before the Bar received attention and had weight with the Judges in proportion to their merits; not for any other reason. He repeated, so far as he might be permitted to speak on behalf of the Bench, that they were not in any way influenced by the standing of the men who addressed them. Why, even in the Province of which the hon. gentleman was leader, there was an Attorney-General who used, he believed, to practice in that Province. And still the hon. gentleman said that such a state of things was perfectly appalling; that it was calculated to destroy all confidence in the administration of justice. It was quite possible that by alleging such a state of things existed, by alleging that the Bench was unduly and dishonourably swayed by the position of a counsel, public opinion might be influenced. When, therefore, such an opinion was expressed within these walls by a member of Parliament, he wished to raise his voice in contradiction of such an assertion. The hon. gentle-

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man must place a very low estimate on the intelligence of the people of this country, on the dignity of the Bench and also of the Bar when he made an assertion of that kind—an assertion which implied that equal justice was not administered on all hands. The hon. gentleman differed from him also in thinking that this high patronage—as he called it—which the Minister of Justice held in his hands was an inducement to a wealthy man to accept the office. He (Mr. Blake) thought if there was one thing above another which would induce a man who felt properly on this subject to decline the office of Minister of Justice, it was just this question of patronage. He apprehended that instead of being a lure to a conscientious man it was really the greatest embarrassment and difficulty under which he laboured. The responsibility connected with the appointment of a Judge for twenty or thirty years, which might prove disastrous to a large section of the population among whom he lived, was one of the most serious character to a Minister of Justice. He quite admitted that the fame connected with some high political position might attract some men to such an office; but on the whole, with the qualifications which he stated in his former address on this subject and which he repeated, the first duty of every man, whether Minister of Justice or Minister of any other Department, was to discharge thoroughly and efficiently his sworn duties. He felt convinced that the public interests would be better served by the adoption of the view which he entertained, than that of the hon. member for Cumberland. An alternative was suggested by the hon. member for Kingston, who proposed the appointment of a Solicitor-General who should receive a salary of \$3,000 a year. Besides the time which the Court business occupied, he was expected to act as a sort of handy man, in doing other work, for which he should receive a portion of the fees. He (Mr. Blake) could not understand what sort of man could be got to give up the practice which he had been accumulating all his life, for a portion of the fees which he was earning. He

knew that the hon. member for Kingston was of a somewhat self-sacrificing disposition; he knew that he had had wide experience of human nature generally; but, if he had found many men ready to take a salary upon which a man could live for three months in this city, and give up his whole time to the work, he (Mr. Blake) would certainly be astonished. If a man of that description could be got, it would be found that he was not such an one as would strengthen the Government, but weaken them. He had already referred to the irregularity of which the hon. member for Cumberland had been guilty, in referring to a former debate. But he had also dragged in this discussion now, what might fairly have come up in the Estimates when the House was discussing the subject of salaries, contingencies and expenses. The hon. gentleman had also introduced the question of departmental expenditure without his (Mr. Blake's) wish, and referred to a speech which he addressed to his constituents. Hon. gentlemen opposite had, for a long time, been trumpeting forth the proposition that the expenses of all the Departments had been enormously increased by the present Government. They pointed particularly to the item of contingencies as one regarding which great extravagance had been shown. Now, it seemed to him that, when they were attacked in this way, they should have the right to reply. It seemed to him that those who assailed them hardly acted a fair part when they refused them the right to answer by a simple statement of fact. The hon. gentleman said the comparison made by him (Mr. Blake) was unfair, because he had not taken into account the fact that the expenditure during the year to which he referred did not embrace the expenditure of the First Minister. But, figures which he had submitted—and which could not be disputed—proved that the expense in the Department of the Minister of Justice more than counterbalanced the proportion of the expenses declared to be due to the office of First Minister. He proved that the work of that office had trebled, and the enormous reduction which had taken place in those contingencies certainly did not entitle

hon. gentlemen opposite to complain of the extravagance of that Department, at any rate. The hon. gentleman said he (Mr. Blake) ignored the fact that the salary of the hon. member for Kingston had, until a recent period, been less than his. Now, he was neither discussing the salary of the hon. member for Kingston nor his own. He was merely comparing the rate charged in the month the hon. gentleman left office with the rate charged when he left office. That was the computation on which his conclusion was based. No doubt the salary of the hon. gentleman had, until some months before, been less; but that had nothing to do with the comparison of the expenditure as it stood at the date he left office. Of course, in making the comparison, he excluded that salary for another reason, namely, that the salary of the First Minister was eventually \$1,000 per year more by virtue of the recent regulations than that of the Minister of Justice. The hon. gentleman said a vast amount of work had been done in connection with the organization of the Mounted Police before the Minister of Justice left office. The fact was, that the difficulties connected with the maintenance of that force in remote parts were very great. He hoped, however, that as settlement proceeded, that as they were able to get their supplies on the spot, as the system was evolved, they would not be so onerous; but he found them so while he was in office. It must be remembered that the organization had been but half a force, 150 men, and that they were organized under the right hon. gentleman's successor. Now, he did not wish to detain the House at any length, but he wished to say that one suggestion which the hon. gentleman had made, that this was an increase of the public burthens, was not borne out by facts. It seemed to him (Mr. Blake) to be a proposal for relieving the country of the charge of an officer who held a sinecure, and of lightening the burden of an officer who was overworked, and the better disposing of the thirteen officials which were assigned to the Government by hon. gentlemen opposite at a very early date. The hon. member for Northumberland said

they ought to diminish the number of Ministers; but the right hon. member for Kingston (Sir John A. Macdonald) well knew the difficulty in reducing the number of members of the Cabinet was so great as to be almost insurmountable. What did they do when there were only four Provinces in the Union? The number which they had laid down as the ground-work for the formation of the Cabinet had left difficulties which were now almost insurmountable. The hon. gentleman (Sir John A. Macdonald) then laid down the principle of sectional representation. He alleged that there must be two members of the Cabinet from each Province, that one man from a Province would feel himself alone in the Cabinet; that he would want some one from his own Province to counsel with; that the smallest Province, therefore, should have two members in the Cabinet. He pointed out, further, that there being two for the least Province, there should for the large and important Province of Quebec, be double that number; and Ontario, being still larger, the least number she would be contented with would be five; and he thus summed up the number of thirteen as the minimum number of Cabinet Ministers for four Provinces, and that was the statement upon which he defended that organization. The hon. gentleman now said that the executive business of this Parliament had not increased. What was stated in the Speech from the Throne in the Session of 1873? What did the hon. gentleman then put into the mouth of His Excellency in the fall of that year? He alleged that the legislative and executive business of the Dominion had so increased that additional legislative and executive agencies were necessary. And the hon. gentleman to-day said that the business had not increased; and, in effect, that there was no necessity for more than twelve Ministers. He said, in 1873, there should be more than thirteen, how many more the House did not know, probably would never know now; but if his former principles were carried out, even with a modification, it could not be less than three more. If they talked of consistency, he would compare the statement of the hon. gentle-

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man in 1873, with regard to this question, and his utterances now. There was more analogy in this than in comparing the views of the Reform party in 1867 with their views now, because circumstances had arisen which must necessarily have changed their views.

MR. PALMER said that perhaps he did not understand the exact position of these Ministerial changes. It might be that the business of the Cabinet had increased, as the hon. member for South Bruce had stated; but whether it was so or not, he thought it had very little to do with the question involved in the measure. As he understood it, our constitution was modelled on that of Great Britain, under the North America Act, the Minister of Justice being intended to represent the office of Attorney-General in England. If he understood his hon. friend aright, they now intended to place not only a number of Attorney-Generals in the Provinces, but also any number of persons representing the Crown, either in Parliament or out of Parliament, that the Government of the day might think it necessary to put in. He contended that principle was opposed to the British constitution. He did not understand the great objection made to the remarks of the hon. member for Cumberland (Mr. Tupper) upon the point. That gentleman did not make any insinuation against the independence of the Bar; he did not insinuate that the Bar of this country were of different calibre or more liable to be influenced from doing their duty by having to appear against a Minister of the Crown than they were in England; but he thought it was unfortunate that this country had not followed the policy of England in this matter. If it, therefore, happened that a Judge of one of the highest Courts entered Parliament, he thought the people would have raised their voices against a member of the Government, being a Judge, before whom they had to come for justice.

MR. BLAKE: Are you referring to Mr. Morris or Mr. Archibald?

MR. PALMER said he was referring to a gentleman in his hon. friend's native Province, who was head of an

Administration at the present day, and who was an active politician and partisan, and yet was an administrator of justice. He did not understand why his hon. friend referred to Mr. Archibald; he was never appointed to the Bench.

MR. BLAKE: He was appointed to the Nova Scotia Bench.

SIR JOHN A. MACDONALD: He never sat.

MR. BLAKE: I did not say that; I said he was appointed.

MR. PALMER said what he did say was, that the people of this country would never consent to have a Judge a member of that House. As in England, when they ascended to the Bench, they should leave politics entirely behind them, and should keep themselves entirely apart from politics.

MR. MILLS: What about the Lord Chancellor?

MR. PALMER: Well, he holds the position for a certain time. He occupies the very position my hon. friend the Minister of Justice occupies; and therefore, he is placed in an entirely different position.

MR. BLAKE: He is a Judge, and one of the highest Judges, and appoints all the other Judges.

MR. PALMER said he did not think this country would approve of such an appointment being made. A Judge, as he said before, should be entirely apart from political influences. He understood the hon. gentleman (Mr. Blake) to state that the gentleman who occupied the position of Minister of Justice and Attorney-General should not withdraw from the Bar. He was not going to differ with him, if he undertook that the office should be confined to one person; but they might put any number of persons in the Cabinet, all of whom would then be able to come forward in the Courts and practice at leisure.

MR. BLAKE. No, I did not say that was my opinion. I said that was the rule in England.

MR. PALMER said if he understood the hon. gentleman rightly he had been quoting facts to support his view that

these gentlemen should go into Court and practice. It was perfectly true this was the rule in England with reference to the Attorney-General, but he was not in the Cabinet; but they were so particular, as his hon. friend had pointed out, that no person who went into the Cabinet was allowed to practice at the Bar at all. Why should it be otherwise? It might be said that there was a great necessity for keeping up the practice; if so, why should these Departmental offices be increased? If he understood it rightly, the Government of this country had proceeded in the principle of each one of the heads being responsible to Government for its own Department. Now, if this Act passed, they would have that plain rule entirely overcome. They would have repeated what has been seen over and over again this Session. When a Minister came down to justify an act, he simply said some one in the Department, some engineer, or some deputy-head recommended it, and, therefore, the Government did it. He held that that system was entirely vicious. He held that the fact of the engineer, or the deputy, or any one else, giving a report was no justification for the action of the Government. In another particular, too, this was the most extraordinary Bill that he had ever heard of. First, as to what was the duty of these officers. They had to have a separate head or an alternate head; one clause providing that the Minister of Justice should be the head, and another that the Government may assign to one or the other any part of the duties of the office. Under this clause, he thought it would be pretty hard, hereafter, to tell where the responsibility rested. Instead of having a single head and a single Department, with somebody responsible for it, the responsibility would be shifted from one Minister to another. This was the first time such a principle had been introduced, and he asked the House to pause before adopting it. He contended that this legislation would be wrong in undertaking to put a single Department of the Government under two heads; in other words, that this legislation would introduce a principle by which the Government of the country

which had, hitherto, been carried on by virtue of the heads of Department—the different branches of the Government being carried on under the direction of the different Ministers who had a seat in the Legislature, either in this House or the Senate—would, in point of fact, instead of recognizing the principle of a head to each Department, allow two or more heads to each. He was entirely opposed to the admission of that principle, which, he affirmed, was a novelty in this country and in England. Once it was introduced, no one could tell the consequences. At present these Ministers were heads of the Departments, and were answerable to the House for their administration. But, at any moment, the Department might be put under a different head, or under several heads, and no one would be responsible. It would introduce confusion and serve no useful purpose, because each man must necessarily understand all the details of the particular subject under consideration at the time, and, consequently, having two heads would not make it less difficult than having one. This Bill, itself, proved it was not required. If it was once exactly defined what that Department was, and what there was to be done, there was nothing to hinder any amount of business being done by it. Surely an officer brought in peculiarly fitted for the work, not requiring to be elected or to have a seat in this House, but simply engaged to do the work of the Department, would be able to do a greater amount of work than any man who only came in there occasionally. If this Attorney-General was to go round the country and do the work which was now done by the Deputy Minister of Justice in the different parts of the Province, the result would be he would only be able to give a certain portion of his time to his work, and if he was paid the large sum of \$7,000, the cost would be doubled. He was at a loss to know what benefit could arise. Surely the person could not be more competent. If the head of the Department was responsible, that was all that was required. It was very objectionable to introduce two or three heads of Department. If his hon. friend referred to the political

course of the present Government when in Opposition, he would find one of their great arguments was the excessive number of Ministers. Yet, the system they were introducing would extend that to an indefinite extent. He feared that once the door was opened, and it was announced as a correct principle that the Ministry of the day could divide the office, and make any number of dependents on the Government, and use their influence in this House, the result of which would be that they might entirely destroy the liberties of the people by getting too much sway in this House. There was another feature in the Bill which had been pointed out by the hon. member for Cumberland. It did not contemplate, if he read the Bill aright, that, while there were to be two heads, there was to be more than one deputy. But the fact that one deputy was enough to do the work, proved that there was no necessity for an increase in the heads. Surely, if the deputy was the person who ought to do the executive, the actual work, it could not be expected the Minister could do more than direct the work to be done. It could not possibly require two to direct the work of one. He could not see the possibility of a man obeying two masters, directed the one day by one man and the next by another man. If the exigencies of the public service did not require it, or if these hon. gentlemen who made that very expensive head did not find it necessary to create immediately subordinates to do the work ordered by that head, it was positive proof there was no necessity for that head at all. It could not be necessary to create two heads to direct one man; one head ought to be able to direct as much as another man could do. He had no hesitation in saying that he was entirely in accordance with the principle enunciated by the hon. member for Cumberland. He believed that, neither in this country nor in England, ought a Minister of the Crown, a man who was actually in the Cabinet, to go into the Courts as the advocate of any person; that is, in the case of a private individual. It was stated that the Attorney-General in England did so, but he was not a Cabinet Minister; he had no power of

**MR. PALMER.**

patronage. He thought, notwithstanding what his hon. friend from South Bruce might say, that it was unseemly, in this country, that the gentleman who had the power of patronage, the prerogative of the Crown in his hands, by which he could confer a favour upon the Judge before whom he pleaded, and when it was his duty by every honourable means in his power to induce that Judge to give the case to his client, should have the power to plead in the Courts. It was unfair to the Judge to put him in such a position, more unfair to the client, and unfair to the public sentiment of the country to allow it to be said anywhere that a man possessing such power should go before a Court in order to plead, and who would be opposed by counsel who could not command the same influence. The administration of justice, under the British Constitution, had been granted, not only as to the actual results, but against the suspicion of wrong, and in no case had he found that a Cabinet Minister had gone into a British Court of Justice to plead a person's case. The hon. member for South Bruce said his opinion was he could properly do it. Perhaps he could. But he (Mr. Palmer) held that it ought to be a principle in the Government of this country to prevent such a thing being done. His hon. friend said the reason why he had quitted doing so was not on account of public opinion. He said the outcry made, by what he called the Tory Press, had no earthly influence on him. It might be so; it might be that the Tory Press, as he called it, did not really interpret the sentiment of this country; but it was passing strange, if that was so, that, although he was not influenced by it, his own opinion and actions should have gone with it. If it was not the Tory Press, or, rather, the public sentiment which it expressed at the time that influenced his hon. friend, it must have been his own sense of what was right. Whichever way he put it, the result was the same. The fact remained that he, himself, either voluntarily came to that view, or was obliged to adopt it, and the Press would care very little whether the result was brought about by its influence

or not. He did not propose to discuss this matter further. He would not have troubled the House at this length, did he not see in the principle which underlined this Bill, one the most vicious to the administration of justice in this country, one fraught with more evil than any single measure introduced in this House since Confederation, one that could not be justified on any principle whatever. He presumed his hon. friend had brought it forward, honestly, to do the work of the country. All that he could say, was that a move was made in a wrong direction. The means pointed out by the right hon. member for Kingston, to have a Solicitor-General, he confessed, did not approve itself to his mind, because he did not see why the Attorney-General or the Minister of Justice should have any offices in this country except those in the Department at Ottawa. Whatever number of assistants might be required in this Department to do the work, should be procured. He believed, nay, he knew, that that would be done more cheaply by not asking a man to go before a constituency to obtain the position of Cabinet Minister, to take the responsibilities of an office which must necessarily take away the greater part of his time from this work required. Instead, they should simply employ a man who, from his education, and habits, and ability, was fitted for the work. The country would not begrudge the number of men the public service required. For these reasons he opposed this Bill. He was opposed to dividing the responsibility. He was opposed to allowing more than one head to each Department. If the Government could divide any Department of the public service, he thought the Department of the Minister of Public Works might be more readily divided than any other one. He could quite understand why the system of railways in this country might possibly become a Department itself. But a Minister of the Crown, a Cabinet Minister, going around practising in the Courts all over the Dominion as an ordinary lawyer, would degrade the office, and not serve the public service or be approved by the people.

MR. MASSON said he did not intend to oppose this Bill on account of the number of Ministers retained in the Government. When he sat on the opposite side of the House, he did not disapprove his hon. friends when they had thirteen Ministers, and he did not feel himself justified in disapproving in his adversaries what he was not ready to disapprove in his friends. He remembered, at the time, that explanations had been given on the subject by the right hon. member for Kingston and by the late lamented Sir George E. Cartier, who explained that the number of Ministers would not have required to be so large if there had not been federal union as at present. If the Government had thought proper to dispense with the services of one of their Ministers, they, at least, would be abiding by the principles they had maintained in contradiction to those defended by Sir George E. Cartier. They, at that time, had said that thirteen Ministers were too many. He remembered they had gone over the whole world to show there were too many. They began with the United States, saying there they had only seven Ministers for forty millions, and that it was absurd for a small country like this to have thirteen. They travelled over to France, and pointed out that she had only nine Ministers to control the different interests of that great mother country of a part of our population. The hon. member for South Bruce, when defending the position of his friends, had tried to turn the table against the Opposition by saying that at the time the Liberals were complaining of the number of Ministers, there were only four Provinces in the Union, but that, since then, the North-West, Manitoba and British Columbia had been annexed. If his memory did not fail him, long after the annexation of the North-West, the establishment of Manitoba, and the annexation of British Columbia, the Liberal party went through the whole country, and on every hustings, and every stump, saying that even then the number of Ministers was more than would meet the requirements of this country. He appealed to his hon. friends from Lower Canada, on the other side of the

House, whether that was not their idea; whether they did not fight the Ministry, saying thirteen were too many, not only in 1869, but even in 1872. He had the proof in his hands. He would not do as the hon. the Minister of Revenue had done to him. He would read from the programme of the *Parti National*, offered in 1873, after the annexation of the North-West, the establishment of Manitoba, and the annexation of British Columbia, the opinion of the party in Quebec on this very subject—the number of Ministers. The changes they were to make in the Dominion legislation were, they said: 1st, the election of Senators; 2nd, the reduction of the number of Ministers. Now, the hon. member for South Bruce could, at this day, say that the reason why the Liberal party could be allowed to change their opinion and go back on their protestations of the past, and say that thirteen Ministers were not too many, was that the Dominion had increased. He believed the main purpose of the Bill, and that to which he most objected, was to reduce the work of the Minister of Justice and enable him to practice in Courts of law. Hon. gentlemen might say what they chose, but it was too late to repudiate that intention, because hon. members had recently ringing in their ears the eloquent speech made, a few days ago, by the hon. member for South Bruce (Mr. Blake) who distinctly stated that his hands were now free, and he could give advice to the Government, because anything done by him, at the present time, would not be considered as done from selfish motives, and that the Government should so arrange its affairs that the Minister of Justice should be allowed to practice in the Law Courts. He (Mr. Masson) was fully justified in saying that this Bill was distinctly introduced so as to reduce the work of the Minister of Justice and enable him thus to practice, as they would see very soon. He objected in principle to this mode of dealing. He most seriously and earnestly objected to the Minister of Justice practising in Law Courts, to his going through the country and pleading before Judges, who were dependent upon him for their promotion or for any advantages that might



accrue to them; and he believed that the people would see with distrust such action allowed. It was well known that the confidence reposed in the Bench was unfortunately, and, perhaps undeservingly, being tremendously shaken in this country. He was sorry to make that statement, and, if it were not against the rules of the House, he would state one of the reasons. It was because Parliament had enacted—and he voted for the measure himself—to bring all election questions before the judicial tribunals. While he had supported and voted for that measure, nevertheless, he now saw with regret that, rightly or wrongly, the people were beginning to distrust our Courts of justice. He would go further and say there was a feeling in the country at the present time—he knew it existed and the opinion had been expressed to him—that it would be for the benefit of the Courts if we reverted to the old system of having elections tried by the High Court of Parliament. He might be wrong, and he had been one of the exponents of the views of hon. gentlemen opposite, in regard to the trial of election petitions by Judges, and he had voted against some of his friends on that question.

MR. HUNTINGTON said he was so involuntarily startled by the extraordinary utterance of the hon. member for Terrebonne that he cried, "Shame." He was still more distressed to find that the utterances of the hon. gentleman were echoed loudly by the leading members of the opposite side of the House; and he would say that if there was a country which had a Parliament that would recognize and approve the kind of assault the hon. member had made on the Courts, then the Courts could not have much to do with the corruption of that country because Parliament would be so far gone that very little could be hoped from its representative institutions. What had the hon. gentleman done? He had stated that the system of election trials was calculated to destroy the confidence of the people in the Courts. What had he done more? He had given instances of cases pending, in regard to which he stated—although

he expressed some dissent, yet was he evidently in sympathy with the feeling—that the people were afraid justice would not be done. If the hon. member had found cases of a nature so glaring and abuses so great that it became necessary for him to pursue this extraordinary course of attacking the highest Court, there might have been some justification for him. But the hon. member was attacking a Court still in its infancy—a Court which was amenable to nothing but the suspicions of partizans like the hon. gentleman, and none but partizans would utter such sentiments as had been uttered by the hon. gentleman. If there was not a feeling of patriotism wide enough and broad enough to shield the Judges from the low suspicions which sometimes appertained to those scavengers who carried political feelings to an extreme—if there was not the sentiment which hitherto protected the Courts, that they must not be attacked and degraded—then the liberties of the people were about to be lost, and lost through the attacks of the hon. gentleman and those whom he represented by degrading the Parliament which ought to sustain them. The hon. gentleman had spoken of the confidence in the judiciary being weakened because of partizan decisions. He did not take cases of both political parties, but only that of the hon. Minister of Justice. There had been controverted election cases on both sides of the House, but the hon. member could only find an illustration in one affecting a political trial and an opponent.

MR. MASSON: Then I am right.

MR. HUNTINGTON: If the hon. gentleman is right, he blunders into the right. The hon. member spoke as a partizan, as a man who was willing to sacrifice the independence of the judiciary for a momentary triumph over a political opponent in the pending election, by creating the impression that cases were adjudicated in such a manner as to favour one political party or the other. Instead of being an advantage to him, in having taken that view, it ought to be a disgrace to him. He would have been glad to have understood that an hon. gentleman

occupying the position of the right hon. member for Kingston, did not sympathize with those views, but it appeared that the hon. member for Terrebonne (Mr. Masson) spoke for his party.

MR. MASSON: I spoke for myself.

MR. HUNTINGTON said the hon. gentleman had spoken under the cheers and encouragement of the right hon. member for Kingston, and those who sat near him, when he said that the judiciary of the country was being false to itself and was being degraded before the people.

MR. MASSON: I never said it.

MR. HUNTINGTON said he was glad that the hon. member did not make this statement, although he understood him to have spoken in that sense. He was glad it had all been taken back, and there had been wiped from the records of Parliament one of the most disgraceful attacks made upon the judiciary that had ever disgraced the country. The hon. member for Terrebonne had alluded to the old system of trying controverted elections where no wrong was done, where, at least, the wrong was a private and not a public wrong. Under the old system of Parliamentary Election Committees, controlled by a majority of either political party, no favour was extended to the man whose partizans did not number a majority of the Committee. The hon. member for Terrebonne had referred to that system as one which he regretted having abandoned, in consequence of the position that public opinion was assuming towards those Courts—to that system which was out of vogue, which left decisions in the hands of a partizan majority, and which had been declared in England, as well as in this country, entirely improper and unfair. He (Mr. Huntington) doubted if the people were so false to their traditions and to the spirit of the British Constitution as, on the mere suspicion that Judges had improperly decided cases, to desire to take the power into their own hands; but he admitted that if the hon. member for Terrebonne fairly represented

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the public feeling on that question, they might well return to the old system. He rose only to enter his humble protest against the declaration made by one of the members of the Opposition, that the Courts were making themselves political partizans.

MR. MASSON: I did not say anything of the kind.

MR. HUNTINGTON: If the hon. gentleman did not say it he inferred it, and he is generally not afraid to say what he means.

MR. MASSON: I said it was unfortunate that the current of opinion in Canada at the present moment was taking away from the Courts that confidence which they should possess. I stated the fact as it exists, and I challenge any one to say it does not exist.

Several HON. MEMBERS: No.

MR. HUNTINGTON said that no such feeling existed. He had no doubt, however, that in some counties, where strong partizan feelings ran high, and where there were trials of controverted elections going on, there might be some illiterate men who would say that the Judges dealt unfairly; but to say that we were so far gone in this country as to entertain opinions calculated to impair the confidence of the people in the Bench, was a monstrosity, and the hon. member should feel ashamed to make it. He was glad to observe that the hon. gentleman, after all, was not willing to come to the conclusion to which his statements tended, and that he took the benefit of having stated that there was a feeling abroad.

MR. MASSON: I always said it.

MR. HUNTINGTON said the hon. gentleman stated that the feeling was strong, and that his own feeling was such that he (Mr. Masson) felt that he had done wrong in voting for the measure.

MR. MASSON: Yes.

MR. HUNTINGTON: And, therefore, the hon. gentleman endorsed that view. What the hon. gentleman had done was to make a deliberate attack on a Court, and the highest Court in this land, with regard to a special case now before it; an attack which, he

believed, would do the hon. gentleman no good, and which, he would repeat, ought not to have been made, and ought not to have been cheered in this House.

MR. BABY said he was really astonished to hear the hon. member for Shefford speak in such a strain, and place in the mouth of the hon. member for Terrebonne words which that hon. gentleman had not uttered. This hon. gentleman had never said that he, in the least degree, thought there was something real in the rumour mentioned as correct. The hon. gentleman only said an impression existed in the public mind to the effect that our Courts of law were not the Courts before which election cases should be tried, and this was all. The hon. gentleman had only placed before the House the simple fact that such a current rumour existed, and at the same time added that, whether right or wrong, it did exist; but he never made the accusation which the hon. member for Shefford alleged. The hon. gentleman (Mr. Huntington) now appeared to be particular about the honour of the Bench; but he (Mr. Baby) remembered that, not many years ago, when the hon. gentleman sat on the Opposition side of the House, an onslaught was made on the whole judiciary of Lower Canada.

MR. MASSON: I had to defend it myself.

MR. HUNTINGTON: It has degenerated since then.

MR. BABY said he had then heard things said which, he regretted to say, were untrue; and, if ever he had regretted not having risen in his place and spoken, it was in connection with that particular occasion. What did the hon. gentleman then state? He said things which ought not to be uttered, and things which were shameful, to employ the expression of the hon. member, who, on that day, alleged that the Lower Canadian judiciary was corrupt and decayed, and a dishonour to the country and Province. Such was the onslaught then made by the hon. gentleman.

MR. HUNTINGTON: I know to what debate the hon. gentleman refers, and I do not think that the word

“corruption” was used. No charge of corruption was made against the judiciary.

MR. BABY said that reference was at the time made to the different Judges on the Bench, though without naming them; and, for the most part, these Judges who were represented as being old, decayed and corrupt, were appointed by hon. gentlemen opposite, when on the Treasury benches in 1863. The hon. gentleman was perfectly satisfied that the Bench was not what it was then represented to be. It was really surprising that such zeal should now exist in the bosom of the hon. gentleman with regard to the defence of the judiciary. He was glad to see that the party had made a happy departure in this direction. As the hon. member for Terrebonne had stated, there did exist such a current. He really would not say whether it was right or wrong; he would only say that such a public sentiment existed, and, very frequently it was remarked that, if such a Judge sat, an election would be upset or upheld.

MR. MASSON: I have heard that from Liberals as well as from Conservatives.

MR. LAFLAMME said that he would not answer points that had already been answered by hon. gentlemen sitting on that side of the House. As far as the current of public opinion, of which the hon. member for Terrebonne had spoken, was concerned, he would say nothing save this: If the hon. gentleman would only look at the inception, origin and birth of it, he would find that it had been inspired by members of the Opposition—inspired and communicated to their organs, and that it was always easy to find such a current so established.

MR. MASSON: Then it exists?

MR. LAFLAMME said it existed amongst the hon. gentlemen opposite and their friends, who, by such a proceeding, could bring the Courts of justice in this country into disrepute.

MR. MASSON: Judge Wilson.

MR. LAFLAMME said that he would discard this question, for, as he was somewhat interested in it, he should

probably have occasion, at a future time, to allude to it. He merely wished to answer the hon. member on one or two points which he had raised with respect to this Bill, as if it introduced some new principle. The hon. gentleman pretended that by it the Minister of Justice would have the liberty to practise in the Courts. Assuredly there was no provision in the Bill establishing such a principle. The hon. gentleman would recollect that it merely extended the provisions of a Bill which had been passed by his friend, creating the Department of Justice, and giving to it some additional aid and assistance. The hon. member for St. John pretended that they were giving two heads to one Department, forgetting entirely the fact that in England, and in all constitutional Governments, the Law Department of the Crown was superintended and administered by Attorneys and Solicitors General; and, certainly, there was no intention to take away from the Minister of Justice a legitimate portion of the work which devolved upon the Department. No such provision was made in the Bill. Aid was merely given to the Minister of Justice on account of the immense amount of work which had lately accrued, and which devolved upon the Department. The right hon. member for Kingston might speak of the time when he could administer with perfect ease this Department, but it had been proven that the work of the Department had since increased more than three-fold, it had increased four-fold, and, certainly, if the hon. gentleman was then competent to do one-fourth of the present amount of work, there was nothing unjust or irrational in demanding that, as the work had increased four-fold, some better system should be devised, in order to meet the exigencies of the situation. No one would pretend to say that the late Minister of Justice was not capable to fulfil the labour which had devolved upon the Department. The hon. gentleman admitted and declared that it was impossible for him or any man to perform the duties which were incumbent on this office. He (Mr. Laflamme) did not pretend, and he did not believe there was any

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man on the other side of the House who would pretend, to be able to discharge these duties better than the late Minister of Justice. He (Mr. Laflamme) was not so able, and he did not pretend that this was the case. He would declare that he could not or did not do the work as well as the hon. gentleman, or as much work as the hon. gentleman had performed. Whoever fulfilled these duties would find it to be impossible for any man to do justice to the Department without having some additional assistance. Hon. members could not forget that the responsibility for the entire legislation of the country fell upon this Department, as well as the administration and responsibility of the legal acts of every Department. The right hon. member for Kingston had alleged as an excuse, that the new Ministers were fresh and without experience, and that, consequently, more work fell on the Department of Justice than would otherwise have been the case. The hon. gentleman forgot that the deputy heads of the Departments, who were naturally their advising officers, had not been changed; and these were men accustomed to the work, and who, notwithstanding the experience of the former Ministers, were those who had advised them, and upon whom those Ministers had relied for the good administration of their Departments. Hence, the new Ministers had these same advantages; and it was not owing to the incoming of a new Administration that additional work had been thrown upon the Department of Justice. He was satisfied that, as far as the reason alleged by the right hon. member for Kingston—who admitted that it would be necessary to appoint a Solicitor-General—was concerned, it was without foundation. The hon. member for South Bruce had clearly shown what would be the advantage as regarded the responsibility for advice given to the Administration, if such an officer received the paltry remuneration of \$3,000 a year. This officer would then be compelled to seek for emoluments outside of his office and to practise in the Courts. What advantage would thereby be gained? What additional assistance would be given with regard to the division of

responsibility, or the value of the advice or information given to the Departments and the Administration with respect to its legislation? Surely none; and if in this country any necessity existed for the abolition of the office of Receiver-General, ten times the necessity existed as to obtaining an additional Minister in order to dispose of the work which fell upon the legal Department.

MR. BLANCHET: Why put him in the Cabinet?

MR. LAFLAMME: Because it was indispensable that this officer should be in the Cabinet, because of the amount of legislation which had to be examined, and of the degree of responsibility incurred in regard to advice given to the different Departments, and because of the variety of our laws, as the hon. member for South Bruce had established. There were laws in almost one-half of the Dominion which were not and could not be familiar to the members of the Bar of other Provinces. The responsibility of a Minister of Justice who had no experience save that derived from practice in the Courts of Ontario or any other Province, was too great; and such a Minister could not, with any satisfaction to himself, or in justice towards those who applied to him from the Province of Quebec, give a safe and sound opinion without relying upon the assistance of a clerk or some one in his office. This was utterly impossible; and when they considered the fact that they had two such different systems of law, with such immense duties and responsibilities attached, it was evident that, under such circumstances, particularly since the fact was disclosed that the increase of business went on in so great a progressive proportion, it was their duty to provide for the more efficient administration of this Department, and that this had become an absolute necessity. The hon. member for Terrebonne had alluded to the *Parti National* having declared that at that time thirteen Ministers were too many. He would not follow the hon. gentleman in this relation. He (Mr. Laflamme) was not a member of the *Parti National* at the time. This might have been

their opinion at the time; but the question now before the House was not whether thirteen Ministers were too many or too few, but whether the Department of Justice required to be remodelled, and whether some more efficient assistance should not be devised, in order to satisfy the wants of the country and legislation. The hon. members for St. John and Kingston had referred to the fact that this Bill somewhat divided the responsibility and gave two heads to one Department, and only one deputy for the two heads of the Department. As far as the division of responsibility was concerned, the work was to be assigned, according to the provisions of the Bill, by an Order in Council, and hence there could be no possible interference or clashing whatever between the two heads of the Department. It was not the case with lawyers or with doctors. They generally agreed; and it was an immense advantage, as every member of the Bar knew, to have the assistance of counsel, and lawyers and their counsel generally came to an uniform decision after consultation. Such would be the result in this case, and it would be beneficial, because there was no member of the legal profession, as far as his experience went—and he was sure that in this he would be supported by hon. gentlemen on the other side of the House—who was not prepared and willing to have the assistance of counsel, especially in regard to any matter of great importance; and this would be the object of this measure. Each Department could be well defined, and there was nothing that could give rise to any suspicion of antagonism or clashing between the two officers who would be called upon to administer this Department; and he was perfectly satisfied that the result of this measure would be most beneficial in connection with the administration of public affairs.

Bill read the second time.

House resolved itself into Committee on said Bill.

(In the Committee.)

MR. MITCHELL said, before the clause was passed he wished to reiterate what he stated before. He looked

upon this attempt of the Government to pass this clause as an anomalous one, because, while they admitted that there was already one Department too many in existence, they sought that another Department might be established. They certainly had not convinced him that it was necessary to have an additional branch in the Minister of Justice's Department. The principle of the Bill had, of course, been sustained by the House, but he objected to the first clause being adopted, because though he admitted that the office of Receiver-General might not be necessary, he did not see that an additional officer was required in the Department of Justice on account of increased business. Ten years ago when the affairs of this Dominion came under a new administration it might have been necessary to create new officers, but he saw no reason why the present Government, which was most economical, which saved money and conserved our institutions, should think it needful to ask the House to create a new office. Such a request was not in keeping with their professions when they came into this House. He thought there was too much patronage in the hands of legal gentlemen in the House; they assumed too much. The hon. member for South Bruce assumed a power and patronage in connection with the legislation of this country which was quite out of keeping with what was due to the people generally. In a matter of this kind, one of two things must be considered. In the first place, they had to consider whether it was necessary to abolish the office of Receiver-General. As he had said, he would not like his hon. friend from Shelbourne to be turned out of office, for he looked upon him as one of the most respectable members of the House, a gentleman who had always conducted the affairs of his Department in a most able and courteous manner. That hon. gentleman, it was true, was not bowled out of office as his late colleague the member for Victoria (Mr. Ross) had been; still, it was attempted to legislate him out of power, because the Government wanted to put somebody else in his place. They wished to make room for some legal gentleman

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to help them to carry on the business of the Administration. The hon. the First Minister said it was desirable that they should have some legal gentleman who should divide the duties of the Minister of Justice, but he (Mr. Mitchell) did not see that it was necessary. When his right hon. friend the member for Kingston performed the functions of First Minister—which he did for seven years—he did not think the duties of that office so great as to necessitate the appointment of an assistant. The hon. member for South Bruce did not think it necessary, when in office, to obtain the services of an assistant; he performed the duties of his office very well, until he got sick of them. The present Chief Justice of Quebec did not find it necessary to ask the House to give him an assistant to divide the labour of his Department. The present Judge Fournier did not think it necessary, while Minister of Justice, to make such a request. It was reserved for his hon. friend from Jacques Cartier to come down to the House on the eve of a dissolution, and ask Parliament to create a new office. And for what purpose? Because, forsooth, his labours as Minister of Justice were too great. His hon. friend, if he understood him correctly, had stated that, during the late Administration, there had been 1,600 references in the Department of Justice, while there were now more than 6,000. Now, what was the inference to be drawn from that? Only that the affairs of the country were not being properly conducted, because the work of that particular Department was allowed to accumulate. Instead of the references being attended to day by day they were allowed to stand over until there became a great fyle of communications to be answered. Yet these were the gentlemen who, seven years ago, when the Government of the day, now in Opposition, proposed that there should be thirteen Departments, said that seven were quite sufficient. While he did not object to the abolition of the office which it was proposed to dispense with, he could not see any reason why that should be done merely to create another. It seemed to him that the object of the Bill was to obtain for the Government

assistance wherewith they might carry the next election. That was what the hon. gentleman, who proposed the measure, desired, and if he (Mr. Mitchell) had to stand alone in this matter, he would ask the House to divide and endeavour to prevent the people from being saddled with the expense which would be caused by the appointment of an Attorney-General. If this appointment was sanctioned, and the present Government, to the misfortune of the country, was returned, they would add a fourteenth office, then a fifteenth and so on. They claimed to be the economical party; he maintained that they were the extravagant party. They had developed more extravagance, more recklessness and more want of consideration for the interests of the people than any other Government he had ever known, and the sooner this country understood that fact the better. He would therefore ask the Committee to divide and refuse to pass the first section of the Bill. He would ask them whether it was necessary to have an additional member in the House. He said boldly that there were too many legal gentlemen in the Government of the country. What they wanted were business men, farmers, mechanics, merchants and those connected with the interests of navigation. The whole aim and object of lawyers was to legislate for the purpose of creating the means of bringing bills of costs on this country. Who brought in the Insolvent Law? The lawyers, with one or two others. He trusted, therefore, that this legal monopoly would be broken down, and that business men would be able to take a fair share in the work of the Administration.

Mr. MASSON said he was taken to task a few minutes ago by the hon. the Postmaster General, who in a flurry of high-toned morality, found fault with a few remarks which he (Mr. Masson) had made as being disparaging to the House and himself. Throughout his career he had always endeavoured, as a public man, to discuss public matters in such a way as not to bring down upon himself a taunt such as that which he received that evening. If he had been guilty of any offence

in making use of the observations which he submitted, he would ask how guilty was Mr. Dorion, now Chief Justice of the Province of Quebec, in his dealing with the Bar and Bench of Lower Canada? He would read the remarks made by that gentleman, and leave it to the House to judge whether he should have been entrusted with the highest judicial position in Canada or not. The extract which he proposed to read was contained in the *Ottawa Times* report for 1868.

Mr. MACKENZIE: I would be inclined to contest its accuracy.

Mr. MASSON: I heard it myself. It is as follows:—

“Hon. Mr. DORION said of the twenty-three Judges of the Provinces, six were totally unfit for office from age or infirmity, while one was grossly unfitted from his immoral conduct and a scandal to the bench, and others from their ignorance of law. The hon. Minister of Justice would, on enquiry, easily ascertain that of the twenty-three, thirteen were from one or other of these causes manifestly incompetent, and would have no difficulty in learning their names. He was of the opinion that the Bar of Lower Canada was not sufficient to supply the necessary number of first-rate men for the position, but thought that the best selections had been made. The position of Queen’s Counsel led naturally to the Bench, and one of these had entered the profession by fraud and false representation; another had been a low swindler and scoundrel and compelled, in consequence, to submit to voluntary expatriation. Others had never had any practice at all, and any of these they might see by-and-by sitting as Judge. The degradation of judicial administration in Quebec had reached an extent altogether unparalleled, but he hoped that the Minister of Justice would, for the honour of his own profession, take care that no future appointments were made except of gentlemen competent for the position.”

Mr. LAFLAMME: What is said as to the appointment of Queen’s Counsel is perfectly true.

Mr. MASSON: And the Judges?

Mr. LAFLAMME: I did not hear that part.

Mr. MASSON: Well, I hope, at all events, after what I have read, that you will reward me as Mr. Dorion was rewarded.

First and second clause *agreed to*.

Mr. MITCHELL moved that clause 3 be struck out of the Bill. He said his

reason for bringing the motion forward was that there were Departments enough in this country; the country was over-legislated; we were having too much legislation. The experience of this Session alone showed that no practical business could be brought before the country; the time had been taken up for six weeks. The philosophical ideas of the Minister of the Interior and the Minister of Justice flooded the House with measures, and then the Opposition were charged with delaying the business of the country. The Opposition had endeavoured to resist, as was their duty, improper legislation and legislation that was not called for; and in this very case they were asked to assent to a measure that would create a new position and impose upon this country about \$15,000 a year, or it might be nearer \$25,000 before they had done with it. The hon. member for South Bruce (Mr. Blake), in one of his picnic speeches, drew comparisons between the expenditure of the late Government and the present one; these comparisons would be made in another shape at a very early date. The hon. member told this House, five years ago, that seven members of the Government were quite enough; but now, being in power, he thought differently. He (Mr. Mitchell) put it to the House whether they would submit to burdening the country with an annual charge of \$15,000 or \$20,000, for which no reason was shown.

**THE CHAIRMAN** (Mr. McDougall, East Elgin): The resolution simply asks to strike out this clause, which is not yet in the Bill, because the Bill is not passed. The question is whether the clause shall be adopted.

**SIR JOHN A. MACDONALD** said he thought there was no necessity for this motion; the clause could be negatived by direct vote, but he did not think there was any irregularity in moving it; he thought either would be regular, but that the direct vote would be the best. However, so far as this Committee was concerned, they had abolished the Receiver-General, and might say: "Off with his head; so much for Buckingham." The Treasury was, therefore, so much

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the richer, or would be the first quarter after this Bill became law; there was a retrenchment at last by the Government. When they came to the 3rd clause they found it was to create a new officer, and the Government found it necessary to say: "This is no increased expense, because we have abolished one office and got another in its stead." If that was the hon. gentleman's notion of expenditure, it was not his (Sir John A. Macdonald's). It was so much saved by the abolishment of a useless office, which the Government proposed to expend in creating a new office. To his view, there was not much retrenchment. They had to consider whether it was necessary to create a new office; if not, it was no more retrenchment than if the useless office of Receiver-General had never been abolished at all. Notwithstanding the strong opinions of the hon. member for South Bruce (Mr. Blake) and the Minister of Justice, he believed there was no necessity for a division of the office of Minister of Justice, or for adding another large salary to the expenses of the country. He thought it was a great political mistake on the part of the Government to endeavour to create this new office, at a time when they were about going to the country, unless there was some imminent necessity for the new appointment. He did not believe there was any such necessity. He gave the reasons for this opinion some little time ago, and he could only reiterate them. He believed the Minister of Justice could perform both duties thoroughly and well, without any additional assistance or addition to the salary. He thought that if the heads of Departments paid more attention to their duties, there would not be such an enormous amount of references, which showed a want of confidence in the heads of Departments. The hon. gentleman said that, although political heads were inexperienced, the deputy-heads were not so; but no man, no permanent officer could supply the want of knowledge on the part of the political head; he alone was responsible to the country and to Parliament. He must be informed, and should study for himself the subjects that came within his departmental scope. It was false in



theory and reprehensible in practice, that the political heads were to throw themselves on the deputy heads and make them the measure of their consciences, their judgment and their responsibility. It was quite evident from the immense number of references that additional burthens were being thrown upon the Department of Justice unnecessarily, but he had heard no complaint during the present or the last Session the work of the Minister of Justice had been in arrear. His hon. friend (Mr. Laflamme) was satisfied that he had done all the work of the Department, and out of eighty or ninety notices of motion in every Department with reference to some neglect or another, there was not one motion with respect to any delay or any injustice in the Minister of Justice's Department. He had been able to do all the work, and had gained credit for his infinite capacity, political and professional; and at the same time, while he had so satisfactorily discharged those duties, he had found time to carry out a political arrangement for his own Province of Lower Canada. And yet there he sat comfortably, exhibiting no symptoms of over-work, physically or mentally, at the end of the last Session of Parliament, and it might be—though he (Sir John A. Macdonald) hoped not, for the sake of the country—it might be the last Session that the hon. gentleman would sit as Minister of Justice, and yet he asked for another gentleman to be appointed in his Department. He was, perhaps, anxious that his successor, who might not be so capable as himself, should have some assistance. Perhaps his successor would be a Conservative, and then, of course, he would not be so capable. The hon. gentleman did not ask for this assistance last year, and his predecessor, the hon. member for South Bruce (Mr. Blake), did not ask for it, but the coming man might not have such professional judgment as they had, and, therefore, he must have assistance. He had been asked if he did not know that there was a strong move in England to have a Minister of Justice. There had been a strong opinion expressed in that country in favour of having a Minister of Justice, especially appointed to per-

form the political duties of the office, to be also a Minister of the Cabinet. It had never come to any practical solution, never been adopted by the leaders of either party, Mr. Gladstone or Lord Beaconsfield, or by anybody likely to have practical influence on the future of England; but even those men who advocated the establishment of a Minister of Justice, did so because they felt there was an anomaly in the English system that ought to be done away with. This anomaly had grown up, like many anomalies in England, because of the usages of antiquity. The Lord Chancellor was not much of a Judge in days gone by, he had very limited authority; but by slow degrees this anomaly had arisen that the Chief Judge of England should be a political officer and preside in the House of Lords as a member of the Administration. The reason why it was argued and pressed upon public consideration that a Minister of Justice should be established was, that the Lord Chancellor should be relieved from his political duties as much as possible, and relegated to preside over the Courts of Chancery in the first place, and the House of Lords and the High Court of Appeal, and other high Courts that might be established. He did not mean that they would go so far as to say that the Lord Chancellor should be no longer a member of the Cabinet; they did things by slow degrees in England; but that he should be relegated to matters connected with the Courts, and that the Minister of Justice should take his place in all political matters. As regarded the Bishops in the House of Lords: although they had the same rights as other Peers, it was understood that they were not to exercise their power to vote for any criminal law or any political party question. That was so well understood that the Bishops did not do so, and in the same way the Lord Chancellor, after the appointment of Minister of Justice, would revert to being the Chief Judge in Equity. The present state of things was an anomaly, which was only held up by the sanctity of antiquity. When Lord Ellenborough was put in that position by the Whigs, he himself stated that it was an anomaly, that it was the

greatest mistake of his life his acceptance of the position, and the Whigs admitted that it was a great mistake to put the Chief Judge of England into the Cabinet. So he (Sir John A. Macdonald) contended that there should be one legal head like the Chancellor of England. It was better that we in Canada had not such an anomaly as a Judge in the Cabinet. They had one Minister of the Cabinet responsible to the Crown, responsible to the people, and everybody knew whence that responsibility came; and it had this great advantage: that the Government of the day had to see that the Minister of Justice, who was solely responsible, should be a competent person. It had been said that in Lower Canada the legal institutions were different from the rest of the Dominion, and that there should be one man in the Cabinet who was thoroughly conversant with those laws. They had already a Deputy Minister of Justice, who, of course, understood fully questions coming from all the Provinces, except that of Quebec, and he (Sir John A. Macdonald) had no objection to the appointment of a Deputy Minister in that Department, specially charged with Lower Canada business. It had been said that it was an insult to the Bench to suppose they would be actuated by any feeling of self-interest in any case that came before them; but that it was doubtful whether the Bench would not suffer in the public confidence by being members of the Government. His hon. friend said so, and he had been told that he was insulting the Bench; that he was declaring a want of confidence in the Bench, and the finger of scorn was actually pointed against him by the hon. the Postmaster-General. Fancy the hon. the Postmaster-General holding up the finger of scorn against the hon. member for Terrebonne for having made that statement. Why, the hon. gentleman had heard what Mr. Dorion had said in this House, and what he (Sir John A. Macdonald) had replied to him in days of old. He got up in his place and made his charges against the Bench, and it was his duty to make those charges if he believed they were founded on fact. They would be wanting in their duty; they would not

be freemen, if, through any imaginary respect to the Bench, they should pass over its delinquencies, its weaknesses, or its faults. He believed the Bench, in all the Provinces was, on the whole, a good one; but, if there was a fault in it, it should be pointed out. It was their bounden duty to speak, if, from a faulty system of appointment or selection, or any other fault whatever, men were retained on the Bench who were not so worthy or deserving of confidence as they ought to be. With reference to these very controverted elections, the language which had been used by the whole of the Common Law Bench, headed by Sir Alexander Cockburn, Chief Justice of England, was stronger than the language of his hon. friend. Did he not remember the remonstrance signed by the whole Common Law Bench of England against being made political Judges? They had warned the Government of the day, before the Act was passed, against the consequences of their being made to try political questions, on the ground that it might shake the confidence of the public in their judicial impartiality. Happily, it had not yet occurred in England, but they knew perfectly well it had occurred in Ireland, where two Irish Judges had been attacked by name, violently, vigorously and strongly, and had been charged with political partiality in the performance of their duties, and those were Judges Lawson and Keogh. They had both been attacked strongly and repeatedly in Parliament and in the country. And yet, it was not allowed to his hon. friend to make an allusion in a similar direction. Judges were but men. They were told that it was an insult to the Bench to suppose that, by any chance, their minds could be influenced. In the reign of George III., a Bill was passed by which Judges were made independent of the Crown. They all knew how liable the Judges had been to Crown influences in the day of Charles II. and James II., before they were made independent of the Crown. Read Macaulay, or any History of England, and they would find what the Judges of England were, until their independence was secured by the law which

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made them independent of the Crown and the people. Therefore, it was not an insult to our Judges to suppose that if there were any influences which could be brought to bear on them, they would not rise superior to humanity, and be unlike the Judges of England, or that they would be influenced by their own interests, perhaps unconsciously. The Government should not put them in that position. He had only pointed out his scheme as an alternative scheme, if there was going to be any alteration at all. He had first commenced by stating that he believed the Minister of Justice could perform those duties, if he worked hard enough, and had health enough to give it, during the requisite number of hours in the day, his undivided attention. If there was a necessity, he gave an alternative; that was to say, to have a member of the Government, but not in the Cabinet, who would carry on the executive business, and the active contentious work of all the Departments. He believed that would be a good scheme and an economical one, and the office would be well paid, better paid, perhaps, than the Ministers. The hon. member for South Bruce had asked: who in the world would take that office? The Attorney-General and Solicitor-General both had similar offices.

MR. BLAKE: Not for \$2,000.

SIR JOHN A. MACDONALD: The Attorney-General and Solicitor-General in England, received considerable salaries, and also large fees from their contentious business. The hon. gentleman said, who would take a position of that kind? Was it because the holder would not be in the Cabinet? The Attorney-General and Solicitor-General of England were not in the Cabinet. In 1854, when the Sir Allan McNab Administration was formed, Henry Smith and Dunbar Ross, the two Solicitors-General, were never members of the Government and were never members of the Cabinet. Therefore, men could be got to fill the office, although they would not be members of the Cabinet. They would not be paid enough. He suggested \$3,000, but it was only a simple suggestion. \$3,000 and the charge of the whole Ex-

chequer business, the conduct at Assizes of any contentious business, a reasonable fee being allowed, under the sanction of the Minister of Justice, it would be one of the most desirable offices that he knew of, for a legal man. He could go on circuits to carry on the Crown business, and, at the same time, take briefs in other cases. The whole salary would be sure and the assistance obtained. If the hon. gentleman did not like his plan, let them make a Treasury-Solicitor, like the Treasury-Solicitor in England, who was called a solicitor and was a counsel -- the Treasury-Solicitor with an ordinary solicitor under him, the solicitor's and counsel's business being separate there. The Treasury-Solicitor was always a counsel of high rank. Let the Government get another man to take up the Attorney-General's branch of it, and fund the fees, and they would find they would have a revenue instead of an increase of salary like that contemplated in this Bill. He did not know how they had drifted into this discussion on the number of Ministers in the Cabinet.

MR. BLAKE: It was the hon. member for Cumberland who introduced it.

SIR JOHN A. MACDONALD said their policy ran in quite a different direction from this. They had never thought of dividing the Ministry with respect to this office. He believed that the policy which would have been submitted in 1873 by the old Government, would have been one which would have commended itself to this country as being a real practical reform. This had no merits whatever except that of dividing the responsibilities and increasing the expense. The hon. member for South Bruce had said that whatever his party had thought in 1867, things had changed now. Yes, they had changed; the hon. gentlemen had changed seats; that was the principle change he saw. The argument used in 1867 was this: here are forty millions of people in the United States who are governed by seven Ministers, and so soon as Canada gets forty millions, then will she require her present number, and not even then, because if we had forty millions, we would still,

if we followed the example of the United States, have but seven Ministers. That was the argument used in 1867, and, as pointed out, in the elections of 1873, that was one of the planks of their platform all over the Dominion. All their talk was about having thirteen Ministers, the devil's dozen, leeches drawing salaries, when seven could do the work.

MR. DYMOND: Who was the devil?

SIR JOHN A. MACDONALD: I have not his acquaintance; perhaps the hon. gentleman has. I would not say he was a printer's devil.

MR. DYMOND: He does not belong to me, certainly.

SIR JOHN A. MACDONALD said that perhaps the hon. member belonged to him. He objected to any increase in the Cabinet, because it was large enough already for consultation, secrecy and promptness. As he had occasion to say before, it was well known that the leaders of both parties in England had declared that their Cabinet, consisting of sixteen members, was too large. Gladstone had said that thirteen ought to be the highest number, and Disraeli had declared that seven would be the perfection of a Cabinet. His hon. friend from South Bruce had said that it was the sectional system introduced by the Conservatives in 1867 which had forced the Government into their present position of having a large Cabinet. Why not have reduced the Cabinet, if they objected to it in 1873? When the party in Opposition came into power they should carry out the principles which they had advocated in Opposition. The present Premier had said, in one of his speeches, that any man who did not stand by the principles in the Government which he advocated in Opposition, was nothing but a demagogue. What he (Sir John A. Macdonald) had said was this, and he remembered it quite well, because, of course, he had weighed, as he ought to have done, when laying the foundations of this Dominion, everything he had said. He had pointed out, at that time, the necessity of giving the Government a sectional complexion; that Nova Scotia was to a great degree hostile to the new state of things, that

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New Brunswick was indifferent, and that there was great danger of a feeling of indignation, and of being sacrificed to the larger Provinces, pervading the lower Provinces if they did not get larger representation. For that reason, he had said those Provinces should have two representatives each. Sir George Cartier, speaking on the same point on his own side of the question, that of having more than one French Canadian in the Cabinet, said he would feel friendless unless he had in it a companion of his own race and language. If the hon. gentleman would think it worth their while to look back to his utterances on that occasion, he would find that he (Sir John A. Macdonald) had repudiated the idea that that should be a permanent necessity. Eventually, when the Provinces had become more intimately united, the system would be that the only question would be to choose the best men to come into the Government. He had pointed out how those things were managed in England. There they took the best men, but it was well understood that England, Ireland and Scotland should have each a representative in the Government. Neither would stand being excluded altogether from a fair amount of representation in the Cabinet, but there was no arbitrary rule. He would again urge the propriety and expediency of not pressing this appointment now. Let the hon. gentleman abolish the Receiver-General's Department, which ought to be abolished, which must be abolished, because it was declared by the Government to be useless. If a young Parliament, fresh from their constituents, chose to renovate the Government by introducing this Bill, after they had gone before the country, if they felt authorized to do so, let them do it then but not now. It was inopportune. When the old Government was in power, they were attacked for their extravagance in mutilage and penknives and so on. Why give the Opposition of the day the opportunity of making this complaint of extravagance against the Government? Let the Bill stand over, and then, with a renovated Parliament, with new men, this legislation might, if considered necessary, be introduced.

MR. BLAKE said the right hon. gentleman had repeated the allegation that the increase in the number of references was due to the newness of the Ministers of those Departments. He wished to point out that the scale of increase disproved this assertion. The references in 1869 were 1693; in 1872, 1,971; in 1873, 2,753; in 1874-5, 3,400; in 1876, 4,344; and for the current year they ran, to date, up to nearly 6,000. The right hon. member had suggested that, as the members gained experience, the references would diminish. But, as he perceived, there was a persistent increase in the number. It was perfectly clear how a great many of the references came. Almost the whole of the land business in Manitoba and the North-West had been, practically, sent to the office since the period when the former Government was in power. An enormous number of references, and some of them of a most complicated character, had arisen with reference to the settlement of cases in Manitoba and in the North-West, which had no existence in the right hon. gentleman's time. Another branch which gave rise to increased business in this respect was the patents. Owing to the operation of the law which had been passed late in the right hon. gentleman's term, and to the increased activity of inventors, the references for patents had increased two or threefold. He had been told that the increase for the first few months of the current year was over 300, and that there was still an increased activity in that Department. He had never, upon any occasion, said a word as to how the business was managed in the right hon. gentleman's time, but he would observe that the number of references then was much less. To whatever cause it might be attributed, the number of references now was a great deal more. Under the late Administration there was an easy way of disposing of a considerable amount of business; and when the present Government took office they found many pigeon holes labelled "M. I." the meaning of which was probably "masterly inactivity."

SIR JOHN A. MACDONALD said, at all events, that activity was of more

value than the little peddling work done by the present Government. When they came to examine the pigeon holes in the public offices, they would, no doubt, find many references still undisposed of which any sensible man could have dealt with in a few minutes.

MR. KIRKPATRICK said that, in view of the announcement contained in the Speech from the Throne, that one of the most important measures of the Session would have for its object the readjustment of the work in the public departments. A more extensive and complete scheme, and one more acceptable to the people, should have been submitted. It was conceded on all hands that the office of Receiver-General could very properly be abolished. That being granted, the question to be determined was which of the other Departments was most in need of assistance. If the opinion of the House and the country had been obtained, it would have been, not in favor of dividing the Department of Justice, but that of the Department of Public Works, where it was impossible that one Minister could supervise all the contracts for public works, and also the vast system of railways under the control of the Department. If that course had been adopted more satisfaction would have been given. What was required in the Department of Justice was not a second political head, but another working permanent head, a sort of Solicitor to the Treasury, who would be able to advise all the Departments, especially the Department of Public Works, in all contracts under its control, and also assist with cases coming before the Exchequer Court. When accounts were sent in for \$2,000 due to one counsel, and \$4,000 to another, it was evident that large sums were being expended in feeing lawyers and barristers to attend to those cases. Additional assistance was no doubt required in the Department of Justice in connection with land claims in the North-West, and preparing Parliamentary legislation; but the system proposed in the Bill would not give the country value for the additional expense incurred for salaries. If the additional political head were appointed, it would still be necessary to

engage as much outside assistance from counsel as before. He was somewhat surprised at the remarks made by the hon. member for South Bruce (Mr. Blake) as to the expense of the Department of Justice under the present and previous Administration. He was glad that the hon. gentleman had succeeded in reducing the expenditure of the Department, but he had omitted to inform the House that during the first year the present Government was in office the expenses of the Department exceeded by \$9,000 or \$10,000 those of any year under the late Government. The expenses of that Department were, for 1873-'74, \$29,000; 1874-'75, between \$38,000 and \$39,000, and they were reduced by the hon. member for South Bruce from that sum to between \$22,000 and \$23,000. Since the hon. gentleman had retired, however, the expenses had again increased. It should also be remembered there was some excuse for additional expense being incurred under the *regime* of the right hon. member for Kingston, from the fact that he was Premier at the time he was at the head of that Department.

MR. PLUMB said it was admitted that the abolition of the office of Receiver-General was a step in the right direction. It was claimed that the work of the Department of Justice had so far increased that it became necessary that it should be divided, and the hon. member for South Bruce had defended that proposition. It would be remembered by those who paid any attention to public affairs, that during last Summer the hon. gentleman appeared before his constituents and made a statement in regard to the Department of Justice. He claimed there had been a large increase of business done at a reduced cost, that the work had been done more efficiently than at any previous time, that a large amount of arrears had been brought up. Indeed, the hon. gentleman made merry at the expense of the previous Administration, and actually condescended to make a small joke upon the subject. He did not then inform the public, through his constituents, that there was to be an increased expense in that Department by adding to it another

head. All the credit which the hon. gentleman claimed at Teeswater for economy effected and increased work performed at a reduced cost, fell to the ground:

"I am confident that the work of the office has more than trebled since 1872; and this increase, I repeat, necessarily indicates a very large increase in the work of the other heavy offices. Now, Sir, I turn to the question of expense; and I ask you confidently whether, having regard to the result I have established, it would not be in the last degree unfair to complain of an increase in the expense of Administration? If there had been no needless expense in salaries and contingencies in managing the smaller volume of business done in 1872, is it not reasonable to conclude that the work could not be trebled without, to a considerable extent, increasing the cost? Could any of you, whether farmer or tradesman, treble your operations without, at the same time, increasing the charge for management of your farm or your trade? The answer is obvious."

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"Now I will give you the result of that reorganization. The staff had been increased in 1873, and in November of that year, at the resignation of the late Government, the annual rate of charge for salaries, including bonuses and an officer charged on contingencies, was over \$13,500. Several changes subsequently took place, and the rate of charge when I took office in May, 1875, was over \$15,750. I was, as I have said, unable to make a reduction in salaries during the first year; but the reorganization which, with the assistance of my colleagues, I was enabled to effect was such, that in June last, when I left the office, the rate of charge for salaries was only \$10,750—a reduction of over \$5,000, or about one-third of the rate when I took office, and of \$2,800, or about one-fifth of the rate when the late Government resigned. The great reduction in the annual charge upon you for salaries has been effected, you will bear in mind, notwithstanding the enormous increase in the work to which I have already called your attention."

It was much to be regretted that the successor of the hon. member for South Bruce, as Minister of Justice, had found himself unable to conduct the business of the Department without calling for an increased expenditure from the public chest for the creation of a new office. The argument of the right hon. member for Kingston, that the proposed measure could have well been deferred until after the ensuing elections, was a sound and proper one. There was no need for much

MR. KIRKPATRICK.

of the legislation introduced this Session, in what the hon. member for Chateauguay described on a former occasion as a moribund Parliament. Such legislation as was not of pressing importance could properly have been left over until there had been an infusion of representatives fresh from the people, with their commissions emanating from the source of all Parliamentary power. The measure under discussion was, perhaps, the most objectionable of any which had been introduced, and one for which there was no pressing and immediate necessity. The statement made by the hon. member for South Bruce that he had accomplished the work of the office, notwithstanding the increased business, and had done that with a reduced expenditure during the last year in which he filled the position, was a sufficient reason for opposing the present measure. The Bill was double-headed, and it had two very distinct objects, both of which in their consequences were very objectionable. It could not have been contemplated when the hon. member was addressing his constituents at Teeswater in September last.

MR. BLAKE: Will the hon. gentleman permit me to read a sentence of the speech he is criticising as unfair?

MR. PLUMB: I am not doing so. The hon. gentleman is putting words in my mouth which I have not used.

MR. BLAKE: In the same speech in which the hon. gentleman says I made no allusion to the political headships of the Department, I used these words:

"I am, however, of the opinion that, without increasing the number of Ministers, a reorganization of some of the offices would be advantageous to the public service. The political work of the Department, which I have recently quitted, is acknowledged, on all hands, to be very onerous. During last Session, a leading member of the Opposition declared in his place that no one man could efficiently accomplish that work, and I think that the political management of the office should be divided—some of its business being assigned to one of the lighter offices."

MR. PLUMB said that he had read this speech before the hon. gentleman had called his attention to it, and with-

in ten minutes, but it did not at all bear on what he was stating. The hon. gentleman there proposed to hand over some work to other offices, which might be very well. He had no doubt that, in many ways, the duties of the office could have been so distributed when an office of that kind became too onerous. The hon. gentleman should understand perfectly well, that what the hon. member for South Bruce stated, only strengthened his (Mr. Plumb's) case, adding force to the very argument which he had been using. The hon. gentleman stated that it would not be necessary to create a new office, to divide this office and make another responsible member of the Government, and place him in the Department of Justice; and this certainly was exactly the point which they were urging.

MR. BLAKE: I say expressly that I think the political management of the office should be divided. These are the very words I used

MR. PLUMB: The political management of the office? The hon. gentleman must see that a small quibble like this could not be impressed on the House with any sort of force, and it had nothing to do with the argument. The hon. gentleman, with his usual directness, frankness and clearness of statement, must understand that if he had meant a division of the office, he would undoubtedly have stated so; but perhaps, the hon. gentleman was not taken into the confidence of the Government, and perhaps this matter was not anticipated. This was an after thought. The question had come up and it had been found convenient to abolish the office of Receiver-General, and to prepare to make another office on the Treasury Benches which would be an important one; and no doubt it was found convenient in the last days of the last Session of the Parliament of 1874, and in its last hours—because this would be the case before this Bill could be passed—and as the closing act of a Reform and economical Administration, and an Administration of retrenchment and economy, to do what?

MR. DYMOND Hear, hear.

MR. PLUMB: The hon. gentleman said "hear, hear," but he knew perfectly well, and too well, that what he (Mr. Plumb) was saying was true. The hon. gentleman had too clear a head not to understand it, and he knew that he (Mr. Plumb) was right in saying that the last act of this Administration of economy, was to do what there was no necessity for doing, and to make a double-headed office of the Department of Justice, which his hon. friend from South Bruce had declared in the most solemn way before his constituents, that he was capable of managing and carrying on with reduced expenditure, as compared with the enormous expenditure which had prevailed under the late Government. He (Mr. Plumb) thought that there never had been a case when it more behoved every member of the House, who had regard for the public finances and the economies which they were so loudly promised, and which had been so little performed by the present Administration, to lift up his voice against the expenditure as flagrant as this; and he trusted that before this Bill was passed, an amendment would be proposed which would be accepted by those members of the House who were in favour of practising economy, instead of merely preaching it.

*Clause agreed to.*

SIR JOHN A. MACDONALD said that he wished to call the attention of his hon. friend to the 5th clause, which he thought really ought to be altered. It stated that: "The Minister of Justice shall, assisted by the Attorney-General, preside over the Department of Justice." It occurred to him that the words "assisted by the Attorney-General" should be struck out. The Attorney-General, by this clause, would be made independent in his own Department, while this would not be the case with the Minister of Justice, because the latter must always be accompanied by the Attorney-General. He would ask his hon. friend from South Bruce to look at it.

MR. BLAKE said that the hon. gentleman stated that the Attorney-General would be independent in his own Department, but the Attorney-General had no Department. The Department

of Justice was given to two officers, as he understood it. He did not understand it to be proposed to make any Department independent of the Attorney-General; in fact a Law Department was created, and it was proposed that two officers should preside over it, each, of course, in his own appropriate sphere.

SIR JOHN A. MACDONALD said the hon. Minister of Justice, in speaking to the Bill, had stated that the original Bill establishing the Department of Justice, provided for a complete separation of the duties of the Attorney-General and Minister of Justice, whether held separately or jointly. The Attorney-General was now made a member of the Cabinet, and had to carry out, without reference to the Minister of Justice, the clause in the original Act, which referred to the duties of the Attorney-General; while the Minister of Justice, on the other hand, could not do anything without the assistance of the Attorney-General.

MR. BLAKE said that perhaps the word "assisted" might be an incorrect word; the clause should read, "together with," or something of that kind. He understood the proposal to be that there should be, as now, the Law Department, which should remain, as now, the Department of Justice. It was now presided over solely by the Minister of Justice. He thought that the words in the Act were "presided over" or something of that kind. He supposed that the sole purpose of this clause was to give the Attorney-General a status in that which was to be his Department, as well as the Department of the Minister of Justice; and, of course, each of these political heads, in his presidency, would preside with reference to his own business or himself. There was to be one Department with one set of officers and two Ministers. The legal business of the Government in either branch was to be done by one and the same Department; and they must give some standing in the Department to the Attorney-General, or else there would be no machinery by which to work the office.

**MR. DYMOND.**



SIR JOHN A. MACDONALD : Some body ought to preside over the Department. If the Minister of Justice is not assisted by the Attorney-General, according to this clause, he cannot preside over the Department.

MR. MITCHELL : Whose Bill is this? That of the hon. member for South Bruce or that of the Minister of Justice?

MR. BLAKE : The hon. member for Kingston appealed to me; and I gave my understanding of the Bill as an independent member of the House.

MR. MITCHELL said he wanted to know who was running the Ministerial business of the House—the Minister of Justice or the hon. member for South Bruce? He thought that the right hon. gentleman ought not to appeal to private members of the House to correct Government measures.

SIR JOHN A. MACDONALD said they knew that these things found their own level. If he were going to discuss a matter relating to the Department of Marine and Fisheries, he would not ask the present Minister of Marine and Fisheries, but his hon. friend.

MR. MITCHELL : Quite right.

SIR JOHN A. MACDONALD said if he was going to discuss a question connected with the Department of Justice he would be very apt to ask his hon. friend from South Bruce, rather than the present Minister of Justice.

MR. MITCHELL : I understand.

SIR JOHN A. MACDONALD said that the Minister of Justice should preside over the Department of Justice. Two men could not preside over it. There should certainly be a separate clause, instead of mentioning the specific duties which the Government proposed to give to the Attorney-General.

MR. LAFLAMME said that, if the right hon. gentleman would look at the Act, which he believed the right hon. gentleman himself drew, creating the Department of Justice, he would find that it defined that:

“1. There shall be a Department of the Civil Service of Canada, to be called ‘The Department of Justice,’ over which the Minister of Justice of Canada for the time being, appointed by the Governor, by Commission under the Great Seal and who shall, *ex officio*, be Her Majesty’s Attorney-General of Canada, shall preside; and the said Minister of Justice shall hold office during pleasure, and shall have the management and direction of the ‘Department of Justice.’

“2. The duties of the Minister of Justice shall be as follows; He shall be the official legal adviser of the Governor and the legal member of Her Majesty’s Privy Council for Canada; it shall also be his duty to see that the administration of public affairs is in accordance with law; he shall have the superintendence of all matters connected with the administration of justice in Canada, not within the jurisdiction of the Government of the Provinces composing the same; he shall advise upon the Legislative Acts and proceedings of each of the Legislatures of the Provinces of Canada, and generally advise the Crown upon all matters of law referred to him by the Crown; and he shall be charged generally with such others as may at any time be assigned by the Governor in Council to the Minister of Justice.”

In the 3rd section the Attorney-General was entrusted with the powers and charged with the duties of which the Minister of Justice had charge, and then followed a clause stating that the Governor shall assign to the Minister of Justice, either exclusively or concurrently with the Attorney-General, any of the powers and duties of the Attorney General; and may at any time assign to the Attorney-General, either exclusively or concurrently with the Minister of Justice, any of the duties and powers of the Minister of Justice; therefore it could properly be said that this Department should be presided over by the Minister of Justice assisted by the Attorney-General.

SIR JOHN A. MACDONALD said his hon. friend should construe this clause as a lawyer would do. According to it, if the Minister of Justice was not assisted by the Attorney-General, he could not preside over the Department of Justice; this was quite clear.

MR. LAFLAMME: That is not the meaning intended.

SIR JOHN A. MACDONALD: That is the language; and the Courts will so construe it. There ought to be no divided authority in the Department.

The Minister of Justice as the Attorney-General should be at the head, and I suppose that the Minister of Justice is intended to be the head. A section should be inserted between sections 5 and 6, stating what the specific duties of the Attorney-General are under the Minister of Justice.

MR. LAFLAMME: The Minister of Justice and the Attorney-General are to be on the same footing.

SIR JOHN A. MACDONALD: You cannot have two chairmen. You cannot have a double-head. There is a three-headed cerberus; but there cannot be a double-headed Minister of Justice.

MR. LAFLAMME: You might just as well say that the Minister of Justice and the Solicitor-General should not preside over the Department of Justice.

SIR JOHN A. MACDONALD: I would like very much to have that point settled. Somebody must preside over the Department, but this clause provided that the Minister of Justice should preside if assisted by the Attorney-General.

MR. MACKENZIE: It does not say if assisted.

SIR JOHN A. MACDONALD: That is the meaning of it.

MR. LAFLAMME said he had no objection to put the words "Minister of Justice and Attorney-General shall preside over the Department of Justice," if that would suit the views of hon. gentlemen opposite.

MR. BLAKE did not think it would be necessary to make any further alteration than the trifling one proposed by the Minister of Justice. Theoretically there might be a difficulty regarding two persons being at the head of a Department; but, practically, he did not see how the difficulty could be got over unless two separate Departments were maintained, which, of course would cause additional expense. There was no reason why the two gentlemen should not arrange the affairs of the Department amicably together; if not, there was

a controlling power over all Ministers, and the matter could be settled in that way.

Bill ordered to be reported.

House resumed.

Bill reported.

AUDITING PUBLIC ACCOUNTS.—[BILL  
No. 53.]

(Mr. Cartwright.)

SECOND READING.

MR. CARTWRIGHT said the object of the Bill was one which the House would very easily understand. For some considerable time it had been apparent to the hon. gentleman that it would be desirable to have a perfect division, whereby the task of auditing the Public Accounts should be kept as much as possible quite distinct from any interference on the part of an officer charged with administrative duties of any kind whatever. If he understood correctly the design of the hon. gentleman who at that time conducted the affairs of this country, it was something similar to what he (Mr. Cartwright) proposed in his Bill. There was at that time a Deputy Inspector-General, who filled the office of Deputy Minister of Finance. In addition to that officer, an Auditor was created, and it was understood that that officer's duties would be mainly, if not altogether, confined to the task of auditing the Public Accounts. As time went on, however, this officer, partly from custom and latterly by formal Statute, embraced the whole duties of the Deputy Inspector-General, and was formally constituted Deputy Minister of Finance. To such an arrangement he conceived considerable objections. The Minister of Finance and his Deputy were necessarily more or less administrative officers, and, although the Department of Finance was in no respect a spending Department, being intended to act as a sort of check on the others, still the Minister of Finance for the time being must necessarily be in harmony with the other members of the Government. In the absence of the Minister of Finance, his deputy was often called upon to discharge many important

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duties, and it seemed to him in order to have a perfect audit of accounts there should be a complete division between the offices of Auditor and Deputy Minister of Finance. The main object of the Bill was to carry that out, and inspire the public with confidence in the Public Accounts. It was deemed expedient, therefore, to adopt the English practice, and to create an officer, who should hold his appointment during good behaviour, and be removable, as Judges are, on an Address by both Houses of Parliament. That was the fundamental principle of this Bill, and he thought that when fairly considered it would commend itself, not only to hon. members of that House, but also to the good sense of the people of the country. He had recast the original Act, but the beginning and end, he might say generally, were nearly transcripts of it.

SIR JOHN A. MACDONALD: A reprint.

MR. CARTWRIGHT: Yes; a complete reprint.

MR. MITCHELL: Do I understand my hon. friend to say that the Act originally introduced has been reprinted?

MR. CARTWRIGHT: No; it is a complete reprint of the original Act for the audit of Public Accounts passed in 1868, with a very considerable number of alterations rendered necessary by the object to which I have referred. I have also introduced a number of provisions from the English Act, together with some new provisions adapted to our special circumstances. Speaking generally, the first ten or eleven sections of the Bill are almost identical with our existing Act of 1867 or 1868. A great portion of the last part is identical, but in the middle portion; from Sections 11 to 45, or thereabouts, considerable alterations have been introduced. As a matter of course, there are a number of new sections defining the position of Auditor-General, besides the adaptations from the English Act to suit our present position. For convenience sake I may just say that from the 11th to the 25th section it is mostly either new or taken from the Imperial Act, or modifications of our present Act rendered

necessary by the complete separation between the offices of Auditor-General and the Finance Department. From the 25th to the 29th sections alterations from the Imperial Act had been introduced. From the 29th to the 35th section he had introduced one or two alterations from the Imperial Act, and had re-enacted the provisions which are contained in the existing Act providing for the mode in which the Auditor-General was to deal with emergencies as they might arise. As far as his experience went, he thought that the provisions originally made were sufficient for the interest of the public service. The most important clause he had added was number 34, which was intended to apply more particularly to the case of extras arising in the execution of contracts and matters of that kind. The clauses from 35 to 46, or rather to 50, were, as the House would see, pretty largely taken from the Imperial Act, to which, as a matter of course, very free reference could be made in Committee. The remaining clauses were chiefly a re-arrangement of our old Act now standing on the Statute-book.

SIR JOHN A. MACDONALD: Up to 1859?

MR. CARTWRIGHT: No; up to clause 50, in which have been introduced a number of alterations taken from the Imperial Act. From the nature of the case, these matters can be more effectively discussed in Committee than at the second reading. What the House has got to consider, is a matter of extreme importance in the interests of the public. It is necessary that we should have a perfect audit of the Public Accounts, and that we should have our public documents as much as possible not only correct, but above suspicion. I need only say that we wish to provide as good a Bill as we possibly can for this purpose, and although it will easily be understood that suggestions made respecting a Bill of this kind would have to be very carefully considered before they could be adopted, I am not at all averse to hear any suggestions which hon. gentlemen opposite may make, and would be glad if they were likely to promote the purpose we have in view, to incorporate them in the Bill.

SIR JOHN A. MACDONALD said the Bill was a good one, and he was glad it had been introduced. It was to the credit of an old colleague of his that he first felt the necessity of having a check upon the different branches of the Administration, and that the Auditor should be an officer more or less independent. They had to commence by slow degrees, and at the time the scheme was first introduced they had to encounter some opposition. A great many hon. members at that time were wedded to the old system, and when the first germ or embryo of the new system was commenced by his respected friend, Mr. Taylor, it was opposed. He was glad, as he had already stated, that this Bill had been introduced, and he would suggest that, in order to save undue discussion as much as possible on the clauses, it should be reprinted with marginal notes, stating what was taken from the Imperial Act, and what from other sources. This would expedite the business of the House very much, by shortening the discussion. He quite concurred with the hon. gentleman that suggestions or amendments should not be put forward hastily in Committee; they should be elaborated and well considered. He concurred, also, in the opinion that we should have an auditor like Sir William Dunbar, who held that office under the English Act. He was appointed during good behaviour, and was perfectly independent of Mr. Gladstone, Lord Beaconsfield, or any Premier or Chancellor of the Exchequer, and would not pass any entry in the Public Accounts unless that entry was authorized by the law of the land. He would give his humble support to the hon. gentleman in carrying out this system of perfect auditing, and he would again suggest, in order that there might be as little obstruction as possible offered to the Bill, that it should be reprinted in the way he had indicated.

MR. CARTWRIGHT said he would have the annotations printed in a single sheet, so that they might be in the hands of members as soon as possible.

*Motion agreed to.*

*Bill read the second time.*

MR. CARTWRIGHT.

SUPPLY.—THE TARIFF.

MR. CARTWRIGHT moved :

“That Mr. Speaker do now leave the Chair, for the House to go again into Committee of Supply.”

MR. BROWN said he had an amendment to offer to the House. He did not wish to open up a debate or to occupy much of the time of the House, as the matter was fully discussed on the amendment of the hon. member for Kingston (Sir John A. Macdonald). However, it was a matter of such importance that he considered it required a separate motion to deal with it. The amendment of the hon. member for Kingston related to the manufacturing, agricultural, lumbering and mining interests; but the amendment of which he (Mr. Brown) had given notice, was with reference to one industry only. He asked the House to decide upon it on its merits, divested of all other interests that might surround it. He voted for the right hon. gentleman's amendment, believing that it was calculated to bring about the sort of reciprocal trade with our American neighbours which we might expect from Protection. We were as well able to manufacture goods and cheap wares as they were, but our market was not large enough; we wanted that scope for selling our manufactures which their markets afforded. We had a barrier to the progression of our manufactures because of this, while the Americans could supply us with manufactured goods and get large prices for them. He did not believe that if the Americans were such energetic, shrewd people as they were represented to be, and as they undoubtedly were, if they did not believe Protection to be to their advantage, they would continue it. He did not believe they would continue a system so ruinous and so disastrous as Protection had been represented by some gentlemen to be, if it was such a ruinous system. English people would not bring their steel, and German manufacturers their laces and ribbons and manufacture them in America, thus competing with America on her own ground, if they did not believe the American system of Protection was

beneficial. He had been urged by millers, largely engaged in the district, to take up this question. He had also received representations from Mr. Gordon, a miller from another section of the country, Messrs. Corly & Sons, who had lately opened a large branch of their business in the city of St. John, for the purpose of shipping flour down there, and others, and it was considered that the Maritime Provinces could be as cheaply supplied with flour from Ontario as they could from their American neighbours if this Protection was given. He therefore moved:—

“That Mr. Speaker do not now leave the chair, but that it be resolved, that whereas a large quantity of wheat and flour has been imported into Canada within the last few years, this House is of opinion that the interests of Canadian farmers would be promoted by the imposition of a duty on these articles.”

SIR JOHN A. MACDONALD: I would like to ask the hon. the head of the Government whether he considers this vote a vote of want of confidence?

MR. ROSS (East Durham) said he seconded the amendment with pleasure, and he trusted the Government would see their way clear to accepting it, as it would strengthen their hands at the coming elections, and would, perhaps, bring the Americans to their senses. He voted against the amendment of the hon. member for Kingston, as, in his opinion, he thought it was only intended to catch votes.

MR. BOWELL said it was a pity that the hon. member who seconded that resolution did not inform the House how often he had given his vote on previous occasions to motions on the same subject. His speech was a somewhat singular production. He told the House that he hoped the Government would see its way clear to accept this extraordinary motion in order that it might strengthen the hands of the Government at the coming elections, and he wound up that little speech by stating that the amendment of the hon. member for Kingston was to catch votes. He (Mr. Bowell) supposed it was for the same purpose the hon. gentleman had seconded this motion, and which he so sincerely hoped the Government would accept in order to strengthen their hands.

SIR JOHN A. MACDONALD: And to catch votes.

MR. BOWELL said to strengthen their hands was the term used. He (Mr. Bowell) was in favour of the motion; he was in favour of any motion in the direction of extending the principle of Protection to all our various industries; and when the mover of the resolution referred to the one prepared by the hon. member for Kingston as not embracing all interests, he must dissent from him. It embraced all the industries. To adopt this principle by piece-meal was not the object they should have in view. If they attempted to adopt a National Policy it must embrace every industry, whether of the farm, the manufactory, the mine, or the forest. If there were any means of obtaining better prices for our farm products, or of making any industry of the country more profitable, it was the bounden duty of this Legislature to include that industry in any scheme proposed. They urged the adoption of this policy from a national standpoint, believing it to be to the general advantage of this country; but it was well that the country should know that the motion, at least in the opinion of the member for East Durham (Mr. Ross) who seconded this motion, was not so much in the interests of the farmers as in the interest of the Government, believing that it was of superior importance to obtain more votes, or, as he put it, “to strengthen their hands at the coming election,” than to benefit the farmer. He (Mr. Bowell) ventured the conclusion that, if the hon. gentleman had not believed that it would strengthen the hands of the Government, he would not have seconded that motion. As to the question of principle involved in it, he was of opinion that it never entered his mind, knowing that the farming community in the neighbourhood he (Mr. Ross) represented were in favour of the imposition of duties on that which they produced. He voted for it, but he would be very cautious in recording a vote against the Government, and particularly in moving or seconding it in a manner that might be considered a vote of want of confidence. Although

he (Mr. Bowell) intended to vote for the motion, he thought it was better if we were to have a policy, that it should be a reasonable and acceptable one. He was quite certain that to adopt the principle with reference only to one or two articles, as involved in this resolution, or attempt in any way to carry out the principle piece-meal, never would be accepted by the House or the country.

MR. ROSS said he did not second the motion as a want of confidence motion because he did not know any other party in the House that he could support if he withdrew his confidence from the Administration. The hon. member for North Hastings (Mr. Bowell) thought that because there was a certain party in his (Mr. Ross') district which believed in protective duties, he would have their support; but he would find out his mistake—they had little confidence in the member for North Hastings.

MR. FORBES said that, perhaps, there was no principle of more importance than this question of Protection. It came before the country in 1867, and was brought forward in all the elections. They were told then that they were not to buy in the cheapest market or sell in the dearest; they in the Maritime Provinces were to buy flour from the people of Ontario. But they in Nova Scotia had no reciprocal trade, and never would have; they could not exchange one commodity for another. They could easily furnish cereals, but wheat they could not supply in sufficient quantities for their own use. They were dependent on some other country for that necessary, and they were willing to receive it from Ontario if they could get it as cheap as from other places. They knew what a tax on flour meant; they had experienced it before Confederation when they had something like 25 cents duty on flour. It was very evident this tax did not go into the pockets of the farmers but into the pockets of the Ontario millers, and out of the pockets of the Nova Scotia fishermen. No Government which put such a tax upon flour need expect support from the Maritime Provinces. They were not situated so

MR. BOWELL.

that they could have an interchange of trade with the people of Ontario, they had little to exchange with them. But their manufactories had been crushed out by the opposition they had met with from Ontario and Quebec, and the addition of another tax would place Nova Scotia in the position of a conquered Province. They wanted to see all these things blotted out; they did not want to see any arbitrary tax imposed to the detriment of any Province. If the people of Ontario were willing to put on a duty on coal of \$12 per ton, let it be put on; and then, he had no doubt, the people of Nova Scotia would say there was some fairness in it. Although, when it came to the question, he must say he was not in favour of a duty on coal. He believed it was merely another way to take from the people of the country so much money and put it in the pockets of rich corporations. He did not believe in the country being governed by these rich corporations or rings. He was opposed to these things as well as to a tax on the staff of life. The people of Nova Scotia had possessed so much freedom that they did not know what they enjoyed. They could put a newspaper in the post-office, and it could go anywhere free of postage. Their tariff was the lowest in the world, about 10 per cent., which was sufficient to cover the interest on all their debt; their revenue was large enough to make all the improvements necessary. They built up their railroads and paid the interest without any trouble. In 1862 came up the great question of retrenchment, at the time when the Hon. Joseph Howe found himself obliged to increase the tariff  $2\frac{1}{2}$  per cent. They had been labouring under an enormous tariff of 10 per cent.; Howe put on  $2\frac{1}{2}$  per cent. The hon. member for Cumberland denounced it as an enormous tax, and told the people that it was wholly unnecessary, that the whole work might be done by simply economizing, by cutting down the expenses of the country, and that he could point out where they could save to the country something like a hundred thousand dollars. \$100,000 here sounded very small, but in their revenue it was quite a large

amount. He introduced a retrenchment scheme which was kept before the people until the next elections. The tax of  $2\frac{1}{2}$  per cent. was kept on one year; then it was repealed, and the country went back to 10 per cent. That additional  $2\frac{1}{2}$  per cent. cost the Government their existence, they were swept out at the next elections. If a tax were put on flour, no Government, he did not care whether Conservative or Liberal, would stand. If hon. gentlemen on the opposite side came into power, he was perfectly sure they would hesitate before imposing that duty. No Government imposing that duty could command a majority of hon. members from the Lower Provinces; they would protest against being obliged to pay a tax for the benefit of Ontario. That Province would next want a duty on salt. Ontario had some salt mines; Goderich was supposed to be able to give salt enough to supply all the fishermen that Nova Scotia and New Brunswick and Prince Edward Island might send out; although the whole supply would not suffice for a tithe of it. If a tax were put on salt, no fisherman could sell his fish at a price to cover the cost of salt. They got salt from England and Turks Island, at 7s. 6d. to 8s. per hogshead, containing about eight bushels. It was the thin end of oppression that the hon. members from Ontario were trying to insert against the people of the Lower Provinces in favour of Ontario. What was predicted in 1867 had come to pass, that all their manufactories would be stopped and their markets flooded by the people of Ontario, and the next step would be to put a tax on flour. It was complained that Canada had become a slaughter market for the United States; the Lower Provinces had become a slaughter market for Ontario. A merchant in straightened circumstances had goods which he could not sell. What did he do with it? He packed up his tweeds and everything else and down they went to the Lower Provinces. Every little village in the Lower Provinces had been flooded with ready-made clothes and other goods manufactured in Ontario, and their merchants had been ruined. Everything found its level. Water

found its level. Evidently this sort of thing would cure itself. Depressions would occur, they must be expected to occur, but it was not necessary on that account that the people of Ontario should oppress those of the Lower Provinces. Was it just to one section of this Dominion to be trampled on by another section. This was nothing else but an arbitrary determination to ruin the people of the Lower Provinces, and to shut them out from the market they had enjoyed year after year, and to which they sent lumber, fish, pork and other goods, and got back their produce in return. They could not sell those goods to the other Province. Their vessels could not get to Ontario. He would say, with all deference to the people of Ontario, whose society he esteemed very much, who were a fine people, with nothing cruel or harsh in their natural disposition, that he wanted them to look at this question from a national point of view, and not endeavour to trample down the people of the Lower Provinces. The suffering in Nova Scotia was increasing. It was said that Halifax was becoming a village; its downward course had begun, all owing to Confederation. He asked hon. members not to carry this thing to extremes, and to oppose any sectional tax coming out of the pockets of one class of people to benefit another part of the people. He hoped the Government would see it was not just to endeavour to harass, to hamper, and to oppress the people of the Lower Provinces.

MR. WHITE (East Hastings) said he believed that, so far as the Ontario farmers were concerned, they were not so selfish as to look for a duty on wheat and flour alone, but would support a duty on coal also. They wanted to do justice to the people of Nova Scotia as well as to the people of Ontario; their desire was to have a National Policy in which all sections of the country would be protected. The hon. member who had moved this motion must certainly know that the farmers of this country would much rather see a duty imposed on corn, than on wheat or flour. He must know well there was more coarse

grain to be sold in his section of the country, than flour or wheat. If the seconder of the motion (Mr. Ross) were sincere, he would have voted for the motion of the right hon. member for Kingston, that all sections of the country should be protected, that our manufacturers and farmers should be protected, and, that a duty should be placed on coal, which would give Nova Scotia a fair, just, and equitable protection, such as was wanted in Ontario. It had been said by the seconder of that motion that the Opposition only made their motions in order to gain office; that they were not sincere in their professions. If they were not sincere, if the leader of the Opposition was not sincere, he was sure there was no sincerity in either the mover or seconder of this motion. The seconder of the motion had said he hoped the Government would see their way clear to accept this motion, in order to strengthen themselves in the Province of Ontario during the coming election. Who ever heard of such an absurd and inconsistent proposition coming from an hon. member who had voted against every motion that came before this House, as that which he now said would, if carried, strengthen the First Minister and his Cabinet in the Ontario elections. It was impossible to expect a duty on flour and wheat, and other grains, unless a duty were imposed on the products of our mines, and upon all articles which could be manufactured in the Dominion, so as to protect all parties interested. A duty on one article would not be acceptable to parties in this country. Any half measure would be regretted, and the only measure likely to succeed would be a proposition to impose duties on corn, barley, oats, wheat, flour, coal, salt, and on manufactured articles. That was what they expected and looked for, and the policy which they were prepared to vote for. The hon. the First Minister had criticised the manner in which the Opposition had placed before the House that policy which they believed was most adapted to the country. It was, however, the duty of the Opposition to lay before Parliament the policy which they believed to be in the interests of the people, and on that issue they would

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go before the electors in the different constituencies. The hon. member for West Hastings (Mr. Brown) would agree with him that the imposition of a duty on wheat and flour would not be satisfactory to the county from which he came. He trusted, therefore, the hon. the First Minister would accept that view, and impose duties on other articles in addition to those asked by the mover and seconder of the present motion. If the hon. the Premier adopted that course, he would receive the hearty support of hon. members on the Opposition side of the House; and, if re-elected, it would be his duty to support the hon. gentleman's Government, because the county which returned him (Mr. White) desired duties to be placed on the articles he had mentioned. No doubt the Government would not be able to accept the motion; he wished they could do so. He would vote for it as an instalment of a general protective policy. The agricultural, manufacturing and mineral productions must be protected. He trusted a good vote would be given in favour of the motion, which would show the Government unmistakably that, in their own camp, and among their own followers, many of their best supporters were dissatisfied, and, also, the constituencies they represented. If the present motion had been made from the Opposition side of the House, the hon. the First Minister would have laughed at it; but, when hon. members on the Ministerial side were thus prepared to vote want of confidence in the Government, the hon. gentleman did not state whether he accepted the motion as such or not. The present motion originated in the hon. the Premier's own camp, and it was to be hoped that the guns which had been fired would arouse the hon. gentleman to the necessities of the country, and compel him to adopt measures of relief.

**MR. BORDEN** said he quite agreed with the remarks made by the hon. member for Queen's (Mr. Forbes), that the proposal contained in the amendment, if carried out, would have a prejudicial effect on the Province of Nova Scotia, and, in fact, on all the Maritime Provinces. He did not quite agree, however, with that hon. mem-



ber as to the manner in which it would operate, because, while it would have a very injurious influence on those Provinces, he did not think it would be particularly advantageous to the Province of Ontario. It was well known that the price of flour was governed by the Liverpool market, and, consequently, any tax imposed upon flour and wheat in this Dominion, of which we have a surplus, would not increase its price; but it would have a very unfavourable influence upon the trade of the Lower Provinces with the United States. It so happened that the United States afforded them a considerable market for their natural products, and they had also a very large carrying trade, indirectly, with that country, through the West Indies. They thus possessed the advantage of cheap return freights on flour, varying from 10c. to 25c. per barrel. While the imposition of a duty would interfere with this trade, and thereby increase the cost of flour to the people of the Lower Provinces, it would not have the effect of assisting the Ontario farmers in the slightest degree. He quite agreed with the hon. members who had stated that this proposition, to impose a duty on wheat and flour, could not be considered independently, but simply as part of the policy which had already been proposed by the right hon. member for Kingston, and supported by the Opposition. It was now well understood that there was a distinct issue before the people of this country, namely, that of Protection on the one hand, and a revenue tariff, such as the country now possessed, on the other hand. The former was the declared policy of the Opposition; the latter, that of the present Government, by which, the Finance Minister had informed the country, they would either stand or fall. There could be no doubt, therefore, that this motion could not be considered strictly by itself, but in connection with the general motion, of which it properly formed a part; that proposition being, to quote from the right hon. member for Kingston's resolution, "The adoption of a national policy, which, by a judicious readjustment of the tariff, would benefit and foster the agricultural, mining, manu-

facturing and other interests of the Dominion." That was to say, it was a policy to protect everybody. The difference between the two policies was, that the one claimed that all the industries of the country could be made prosperous by imposing taxation, while the other claimed that whatever taxation was taken out of the pockets of the people, except what was actually required for the purposes of Government, was prejudicial to their best interests. The right hon. leader of the Opposition had never condescended to lay before the House the *modus operandi* of his scheme. It was very easy to insert certain words in a resolution, but it was somewhat more difficult to explain to the House and the country how such particular industry was to be protected at one and the same time. They had had a very striking instance of the impossibility of carrying out such a scheme in the discussion of the lumber interest, which, it would be admitted, was one of the most important industries in the country, and one which, at the present time, was most depressed. They found that hon. members who spoke on behalf of that interest asked that the duty on pork, an article entering largely into the consumption of the lumberman, should be removed, while, on the other hand, the representatives of the farmers were equally anxious that the duty should be retained. Thus, it was evident, there was a direct conflict between the two industries, and that, in this particular instance, what would protect the lumber interest would not protect the farming interest. Such instances might be multiplied indefinitely. Another branch of the subject to which he would refer for a few minutes was that connected with the development of inter-provincial trade. The question of fostering inter-provincial trade had been a favourite hobby of the hon. member for Cumberland before Confederation and since. Not long ago, he (Mr. Borden) carefully examined the trade returns of Nova Scotia for 1866, and compared them with those of 1877; 1866 being the year preceding Confederation. He found that in 1866 the imports of Nova Scotia for home consumption amounted to over

\$13,000,000; that in 1877, on this immensely reduced importation, Nova Scotia paid a tax into the revenue of \$75,000 in excess of that paid in 1866, to which he would allude further on. It thus appeared there had been a falling off in their import trade of over \$4,000,000, and, making allowances for the trade in 1866 with Canada, New Brunswick and Prince Edward Island, which was not now included in the trade returns, it would still remain over \$2,500,000. The people of Nova Scotia were thus, apparently, consuming less in 1877 than they did in 1866. Quite the opposite, however, in the natural course of things, must be the case. From the export returns he found that, during the same period, their export trade had increased by about \$1,500,000. Therefore, he thought it fair to infer that the general consumption of the people had increased largely, and that at least \$2,000,000 should be added to the difference, \$2,500,000, to make up the total difference between 1866 and 1877 to be accounted for. The only way in which they could account for it was that, instead of importing American and English goods, they were now purchasing those goods in Canada, and from the evidence given before the Committee on the coal question, last Session, it appeared, on the authority of a Halifax merchant, that the purchases made by Nova Scotia from Ontario and Quebec amounted to \$3,600,000; \$2,000,000 of which were manufactured goods and the remainder flour. The export trade from Nova Scotia to those Provinces, as against the large volume of imports, had not increased, and was less than \$500,000, of which coal and fish made up the principal part. An examination of the trade returns for the past eleven years would reveal the fact that the Upper Provinces were rapidly monopolizing the trade of Nova Scotia in manufactured goods; that the imports from Great Britain alone had fallen off about \$2,000,000, and that those from the United States had remained about stationary, except in the article of flour, which had fallen off. Nova Scotia's trade with Canada in flour now amounted to about \$1,500,000, and her purchases of Canadian manufactures

reached at least \$2,000,000. Thus, the falling off in their imports was explained by the rapid increase in their purchases from the Upper Provinces, which, before Confederation, under a low tariff, but one operating against Canada equally with the rest of the world, did not reach one-twentieth of their present amount. One effect of this altered course of trade upon Nova Scotia was especially noteworthy, and that was, that while they were paying the tax of  $17\frac{1}{2}$  per cent.; over and above the cost of their \$2,000,000 worth of goods in England or the United States, it was not going into the revenue of the country, but into the pockets of the Canadian manufacturers; while, at the same time, owing to the increase of duties—the result of Confederation—they were actually paying more money into the treasury, although their imports were one-fourth less than in 1866. Had, therefore, their importations continued at their former rate, Nova Scotia would be paying at least \$500,000 more into the revenue, which was now going to swell the profits of the Upper Canadian manufacturers. It was thus evident that the adoption of the policy proposed by the Opposition, to foster and encourage the manufacturers by the imposition of a higher tariff, would operate directly against the interests of the Maritime Provinces, by compelling them to purchase still more largely from the Upper Provinces, and at higher prices. Another part of the proposition of the leader of the Opposition showed conclusively what kind of tariff they would propose to adopt, and that was the reference to a "reciprocity of tariffs with our neighbours", which meant, of course, the adoption of the tariff of the United States. He would like to call the attention of the farming population of the Lower Provinces to the effect of such a tariff upon their interests. All kinds of appliances used in farming operations would have a duty of from 35 to 50 per cent. imposed on them, instead of the present  $17\frac{1}{2}$  per cent. He had referred to the duty proposed on flour, which, by the adoption of the American tariff, would be 20 per cent., and which would also operate against the farmer of the Lower Provinces in

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the way already pointed out. Then, take the case of the mechanics, such as blacksmiths and carpenters. The duty on bar iron in the United States ranged from 35 to 65 per cent., while in this country it was only 5 per cent. Edge tools in the United States paid a duty of from 35 to 50 per cent., while the Canadian duty was  $17\frac{1}{2}$  per cent. Add to this an increase of from 20 to 30 per cent. to the  $17\frac{1}{2}$  per cent. duty on clothing, and boots and shoes, and some idea could be formed of the effect of a reciprocity of tariffs with the United States. From those facts, it appeared that anything like an attempt to force further an inter-provincial trade by a retaliatory policy against the United States, which was, after all, the real meaning of a "reciprocity of tariffs," would be exceedingly disastrous to all the Lower Provinces; and he could not allow the present opportunity to pass without expressing his strongest condemnation of any attempt being made to bring about in this country the state of things now existing in the United States. Such a policy was detrimental to the best interests of the whole Dominion and especially those of the Maritime Provinces. He did not think that members from those Provinces could be fairly charged with sectionalism in pressing their views, because they were sent to Parliament to represent the interests of their constituents, and, to a very large extent, whatever were their interests were those of the whole Dominion. It was impossible to injure a part without injuring the whole. He was satisfied Parliament, in its wisdom, would not enact any legislation that would oppress any particular Province.

Mr. McQUADE said he was glad to observe that hon. gentlemen opposite were, one by one, taking the right steps for the protection of the interests of farmers. He represented a farming constituency, and he wished it to be understood by the House that he was only sorry that the hon. gentleman had not gone a little further into the matter than merely to ask for protection on wheat and flour. These concerned only a very small part of the interests of the

farmers which required protection. He had taken the trouble to look over some figures regarding the loss that our agriculturists sustained in this Dominion. He found that in 1877, on barley alone, which was one of the great products on which they made money in the West, they lost very heavily. The imports of American barley alone amounted to 368,426 bushels, which came in duty free, and which, if it was charged the same duty that the Americans charged us, 15c. per bushel, would furnish the amount of \$55,263.90 to the country, which was now lost. These were facts which the House could not deny. He also found that we imported of American oats 1,697,706 bushels, free of duty, which, if charged 10c. per bushel, duty, as the Americans charged us, would give \$169,770.60. We imported of peas and beans 8,042 bushels, which at 20c. *ad valorem*, would give \$1,608.40; of rye 65,414 bushels, which at 15c. a bushel would give \$9,812.10; of corn 8,260,039 bushels, which at 10c. per bushel, duty, would give \$826,003.90; and of wheat 4,589,027 bushels, which at 20c. per bushel, the American duty on our grain, would give \$917,805.40; the sum total of loss to our agriculturists on the grain imported into Canada, in 1877, was \$1,980,264.30, and still, the hon. the First Minister stated that the farmers wanted no protection, and that they could take care of themselves. If the farmers never had any care taken of them until the hon. the First Minister undertook the duty, he thought that they would be hard up. The hon. gentleman said that the farmers were well off. This was the case; but he claimed that this was wholly due to the laborious industry of the agriculturists. They did not go into bankruptcy to become prosperous, but they became rich by hard work; and this Government was trying to grind them down and keep them under; but he hoped that the day was not far distant when there would be a change. He found that the exports of the grain from the Dominion to the United States were as follows: of barley, 6,243,033 bushels, on which, at 15c. per bushel—which every man in the House in his heart and conscience knew was the first thing taken out of the

price of their grain—\$936,554.65 were paid in duty; of beans, 118,281 bushels, on which, at 20 per cent., \$23,584 were paid in duty, occasioning a loss to that amount to our agriculturists; of corn we did not export very much, but on this, a duty was charged by the Americans. We exported 405 bushels, and the loss was \$40.50; of oats we exported 72,378 bushels, which, at 10 per cent., occasioned a loss of \$7,237.80 in duty; of peas, 4,704,720 bushels, which, at 20 per cent. *ad valorem*, represented a loss of \$75,968.20 in duty; of rye, 95,065 bushels, occasioning a loss in duty of \$14,259.75; of wheat, 348,946 bushels, which, at 20c. a bushel, represented a loss of \$69,789.20. He found the total amount we had lost in the export of grain during 1877 was \$1,127,443. These were facts that could not be refuted. With the permission of the House he would give the return as to the live stock imported into and exported from this country. He found that the duty which the present Government charged the Americans was only half the amount which the latter charged Canadian exporters of live stock. He found that there had been imported from the United States 8,055 head of horned cattle of the value of \$221,306, while the duty amounted to \$22,130.90. He found also that the number of horses imported was 1,473 head, the value of which amounted to \$76,700, and the duty to \$7,670. The Minister of the Interior made great fun last summer in a speech which he delivered, as to the number of sheep imported into this country, and stated that only three sheep were imported into the Province of Ontario in 1876, which was true. But the hon. Minister should have told the crowd of innocent farmers whom he was addressing the whole truth. The fact was that the number of sheep imported into the Dominion in 1876 was over 11,000. This year 11,617 head of sheep, worth \$21,817, were imported, the duty thereon being \$2,181.70. The number of swine imported was 13,609, their value \$181,097, and the duty paid for them amounted to \$18,109.70. The total amount of duty charged on these imports then was \$50,091.40, while by following the tactics of the

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United States Government it might have reached \$100,182.80. Still it was said the farmers did not want Protection. The *ad valorem* duty charged by the Americans upon live stock imported into that country was 20 per cent., whereas Canada only charged 10 per cent. During the year 1877, 7,496 horses, of the value of \$668,467, were exported to the United States, and of that sum \$133,693.40 was given up by the farmers of this country to pay the duty charged by the United States Government. Of horned cattle, 13,851 had been exported, their total value being \$268,317, while the loss to the seller amounted to \$53,663.40. He found that we exported 1,944 head of swine of the value of \$11,376, the duty being \$2,275.20. Of sheep, 198,829 were exported; the value of these amounted to \$536,648, and the loss to the seller, in consequence of the duty charged, \$107,329.60. About \$296,961, or one-fifth of the total exports of live stock to Canada, therefore, was lost to the seller, and yet the First Minister of the Crown said the farmers could take care of themselves. The hon. the First Minister was very liberal in the way of distributing our steel rails. A plan was on foot for building a railroad in the county which he (Mr. McQuade) came from, and the seconder of the resolution was a director of that road. He hoped, therefore, that the First Minister would consent to give some rails for the purpose of pushing that road ahead. He said he understood the First Minister and some more of the faithful were coming to the county he represented with the intention of making a "big push," and, as the hon. the First Minister had been so liberal in giving and lending iron or steel rails to the hon. member for Queen's, N.B., (Mr. Ferris), he thought he might send some rails to finish the extension of the Midland Railway. This reminded him that no less a sum than \$3,000 was said to have been paid for the storage of some rails intended for the railroads of British Columbia—for storage in the open air. That was economy with a vengeance. Another matter to which he would like to refer was the Emigration Department. One hon. gen-

tleman said it was cruel to bring people into this country and leave them to the mercy of their neighbours. He (Mr. McQuade) thought it would be better for the Government to devote the money they had spent in this way to the transport of farmers' sons to Manitoba, where there was a great tract of land, and encourage them to settle there. It would be much wiser for the Government to give farmers' sons, or immigrants, a year's provisions and a cow, as had been done in the old times in the township in which he lived, and those men were now prosperous and good settlers. Many of those immigrants who had been brought out, and left without employment or means of living, had been a burden upon the neighbours where they were left; others, who had means, had either returned home or gone to the United States, and had given Canada a bad name. Even in this city of Ottawa, he could see hundreds of men struggling for employment, and unable to get it. Why, then, had the Government, in 1876, gone to the expense of bringing a great number of emigrants from France, and then was forced to send them home again at an expense of \$5,000? Who paid those expenses? The farmers, as a rule, and the sooner a stop was put to this useless emigration the better. He hoped a hearty vote would be given for this resolution, and that other hon. gentlemen would bring forward something else of the same kind. With respect to the Goderich Harbour job, he was satisfied that \$30,000 had been lost to the country through the bad management of the First Minister, who had refused to give the contract to the lowest tenderers, and the only excuse he could give for doing so was that he had offered to do the work too cheap, and that he was a farmer. Still, he had a letter from the hon. member for South Bruce, saying that Mr. Moore, who got the contract, was his friend. Where were the men who had taken office to govern and save the country? Year after year he was astonished to find they had left, and it appeared just as soon as they could get office they looked after themselves, and left the ship of State to sink or swim. The

Hon. Mr. Simpson, when going around electioneering, had said that he did not buy voters with money, but had mesmerized them; and it appeared the right hon. member for Kingston was mesmerizing a good many of the Government supporters with his new policy, and he hoped they would soon all be mesmerized and the country with them.

MR. FISET said that the motion of the hon. member for West Hastings (Mr. Brown) would be so important in its results, if carried, for the Province of Quebec, and particularly for the county which he had the honour to represent, that he could not let it pass without making a few remarks. The hon. member had not spoken of the great inconvenience and harm which the imposition of the tax proposed would cause, save with respect to the Provinces of Nova Scotia and New Brunswick, but the hon. gentleman might also have mentioned in this connection the Province of Quebec. There were few counties in that Province which produced enough wheat for the needs of their inhabitants. He would select one as an exemplification of this fact,—the county of Rimouski. This county scarcely produced one-half of wheat which was necessary for the consumption of those who lived in it. He could also mention in this regard the counties of Bonaventure and Gaspé, and many others, where the results of the harvest did not afford enough for the support of their population; and if a tax was imposed on wheat and flour, this policy would immediately levy an impost on one of the first and most important articles of consumption. The hon. member for Queen's (Mr. Forbes) saw that not only the Province of Nova Scotia, but also the Province of Quebec was seriously interested in this matter. When the hon. member made this motion, several members of the Opposition, and, above all, members from the Province of Ontario, smiled and applauded. But, though this was the case, he believed that the members from the Province of Quebec who belonged to the Opposition side of the House, were far from smiling. These hon. gentlemen had voted for the

motion of the hon. member for Kingston, and that evening they found themselves under obligation also to vote—if they wished to be consistent—for this motion. If these hon. gentlemen did so, they would be consistent, inasmuch as they had supported the motion of the hon. member for Kingston, for, after all, it was not necessary to dissimulate. The motion made this evening was found comprehended in the first motion made by the hon. member for Kingston. When the latter was made, it appeared like the Pandora's box, which, by its exterior beauties invited admiration, but he was certain that the hon. gentlemen from that the Province of Quebec, who belonged to that Province, would, in the end, perceive that, in common with Pandora's box, this motion enclosed more of evil than of good. If this tax was imposed, as the hon. member for Quebec said, whom would it profit? It would benefit the western portion of the Dominion—the Provinces of Ontario and Manitoba, and, perhaps, the Province of British Columbia; it would not at all benefit the eastern portion of the Dominion; but, on the contrary, it would prove to be the heaviest tax that could be levied upon that section of our population. He would feel it to be his duty to vote against this motion, in company with the hon. member for Queen's.

Mr. MILLS moved the adjournment of the debate.

Motion agreed to.

House adjourned at  
Twenty-five minutes past  
Twelve o'clock.

## HOUSE OF COMMONS.

Wednesday, 3rd April, 1878.

PRAYERS.

### PRIVATE BILLS.

#### RESOLUTION PROPOSED.

Mr. HOLTON moved that, in accordance with the recommendation of the Committee on Banking and Commerce, the time for the reception of reports on Private Bills be extended for one week from the 4th inst.

Motion agreed to.

Mr. Fiset.

Mr. HOLTON moved that the time for receiving Reports from Committees on Private Bills, be extended to Thursday, the 11th instant, in accordance with the recommendation of the Select Standing Committee on Banking and Commerce.

Motion agreed to.

### GENERAL RAILWAYS ACT AMENDMENT BILL.—[BILL No. 67.]

#### FIRST READING.

Mr. ROSS (West Middlesex) introduced a Bill (No. 67) to amend the General Act respecting Railways. He said that in the amendment of the General Railway Act, chapter 24, Statutes of 1875, no provision was made whereby a railway company could build a sidings to a warehouse, elevator and wharf; and it was proposed to so amend this clause of the Act as to empower such companies to extend their sidings to a warehouse, elevator or wharf. Again, in chapter 24, no provision was made whereby a railway company could extend its sidings which were partially used by another railway company; and it was proposed to amend it so that it should be lawful for such a company to extend sidings whether used by the company solely or jointly with other companies. These were the only two amendments proposed.

Bill read the first time.

### SUPREME COURT ACT AMENDMENT BILL.—[BILL No. 68.]

#### FIRST READING.

Mr. LAFLAMME introduced a Bill (No. 68) To amend the Act 38 Victoria, chapter 11, intituled "An Act to establish a Supreme Court and a Court of Exchequer for the Dominion of Canada." He said the Bill was introduced to increase the number of the terms of the Supreme Court from two to four; also to regulate the appeals from the Lower Provinces where there was no limitation with respect to appeals. An appeal could be brought from the Maritime Provinces for \$5, and it was proposed to make the appealable sum \$400 and upwards. The appealable amount for the Province of Quebec was maintained at \$2,000, and

in the Province of Ontario this was regulated by the laws of that Province. Appeals were also made to include all constitutional questions relating to the interpretation of Statutes; and provision was moreover made with respect to any case of disqualification of Judges sitting in this Court, in order to prevent unjust delay. For instance, he had been informed that two of the Judges from the Province of Quebec would be disqualified from sitting in two or three important cases owing to the fact that they had been consulted with respect to, or concerned in them, in the Court below.

MR. MACDONNELL said he would reserve his extended remarks on the Bill until the second reading. In the meantime, he wished to enter his protest against any limitation of the amount for which an appeal might be had with respect to the laws of the Province from which he had the honour to come. It was known that in that Province they had only two Courts of any consequence, the County Court and the Supreme Court, differing in this respect from the Provinces of Ontario and Quebec, where they had Courts of Appeal and Review, and other Courts of which he knew nothing. It was not the pecuniary amount involved that should be made the criterion as to whether appeals should be allowed or not. A great principle of law might be involved, or a man's detention; and questions might be involved which would be excluded by this Bill—that represented interests much higher, and much greater, and much more sacred than mere money considerations; and, therefore, he took the earliest possible opportunity of expressing his regret that the hon. the Minister of Justice had introduced this Bill, and intended to vary the law from what it was at present. He reserved any lengthened observations on the subject for a future occasion.

*Bill read the first time.*

PENITENTIARIES ACT AMENDMENT  
BILL.—[BILL No. 69.]

FIRST READING.

MR. LAFLAMME introduced a Bill (No. 69) To amend section 8 of the Penitentiaries Act of 1875. He said that

the amendment proposed had respect to the St. John Penitentiary, from whence short-term prisoners were allowed to be removed, in accordance with a special provision of the Act, which referred only to this year; and it was intended to extend this provision for another year, in order to afford time for the completion of the penitentiary. It was thought, when the Bill was first introduced, that the penitentiary would, by this time, be completed; but it had not as yet been terminated, and it was found necessary to extend the provision in question for another year.

SIR JOHN A. MACDONALD: Has the hon. gentleman got the consent of the Governor-General to this Bill?

MR. MACKENZIE: How does the Bill require it?

SIR JOHN A. MACDONALD: I want to know.

MR. MACKENZIE: I do not think that this is required.

SIR JOHN A. MACDONALD: I do not think it either; but the Lieutenant-Governor of Quebec thought that every Bill requires the Governor's consent.

MR. DEVLIN: That is far fetched.  
*Bill read the first time.*

INSURANCE ACT OF 1877.

QUESTION.

MR. KILLAM enquired, Which Life Insurance Companies have given notice to the Minister of Finance of their intention to avail themselves of the proviso contained in sub-Section 2 of Section 7, of the Insurance Act of 1877; and also, what are the names of the Insurance Companies incorporated elsewhere than in Canada, which have not applied before the 31st March in this year, for a renewal of their licenses under the 3rd Section of the said Act.

MR. CARTWRIGHT: The companies which have given notice of their intention to avail themselves of proviso sub-Section 2 of Section 7, of the Act referred to, are: the London and Lancashire, the North British and Mercantile, the Reliance, the Royal,

and the Standard—British Companies; the Ætna Life, the Equitable, the Travellers', and the Union Mutual,—American Companies. Sub-Section 2, I may remark, in passing, simply enables them to require that the policies issued previous to the 31st of March, 1878, are not to be affected by the Act. This is in no respect an interference with their future business. As to the second part of my hon. friend's question, I may say that, before passing the Act, the following companies had authority to transact new business in Canada:—The British Mutual, the Positive, the Scottish Provident, the Scottish Provincial, and the United States. Of those which have given notice under the 17th Section of the Act, to discontinue business, the names are as follows:—The Edinburgh Life, the Life Association of Scotland, and the Scottish Amicable. The Life Association, however, I ought, perhaps, to mention, although it has discontinued new business, has given notice under sub-Section 2 of Section 7, to which I have referred, so that it may avail itself of this proviso, if it chooses to resume business. The American companies which have given notice to discontinue, are the New York, the North - Western, Milwaukee, the Phoenix, and the Hartford. The Atlantic Mutual is in the hands of a receiver, and, of course, it has not received any renewal of its licenses.

**MR. KILLAM:** Are the licenses of the others renewed?

**MR. CARTWRIGHT:** Well, the hon. gentleman does not enquire as to that point.

**MR. KILLAM:** Yes; I asked the names of the companies which have not applied before the 31st of March for renewal, and if they have not applied for renewal, they, of course, have discontinued business.

**MR. CARTWRIGHT:** I speak from memory, but I think that these are the only ones that have not applied. I did not observe the exact form of the question. The Companies I have mentioned have given notice of intention to discontinue, and I think that, in all cases, they would give notice.

**MR. CARTWRIGHT.**

## CHARGES AGAINST MARINE AND FISHERIES AGENT IN BRITISH COLUMBIA.

### MOTION FOR CORRESPONDENCE.

**SIR JOHN A. MACDONALD,** for **MR. DEWDNEY,** moved for all correspondence from whatever source which led to an investigation before Mr. Justice Gray, into accusations made against the agent of Marine and Fisheries in British Columbia; also for the report of Mr. Justice Gray, with the evidence taken at the enquiry.

**MR. MACKENZIE** said he was not certain at that moment that he was familiar with all the particulars connected with the case under investigation, nor was he certain whether some of the correspondence asked was not of a more or less confidential nature. It was sent to Mr. Justice Gray in the absence of any person whom he could fairly entrust with the exercise of the judicial functions necessary in such an investigation, and there might be some delicate matters connected with it which he would hardly care to make public till he had time to look over the papers. Perhaps, therefore, the hon. gentleman would let the matter drop at present, and he would have an opportunity of making his motion on another occasion.

**SIR JOHN A. MACDONALD** said it occurred to him that when this matter was before the sub-Committee it was understood that, when a notice of motion was given and a motion afterwards made, if the Government asked it to stand over, it would not be dropped but keep its place till further enquiries were made into the subject.

**MR. MACKENZIE:** I have no objection to that. We will be able, before Wednesday next, to say whether we can give the correspondence or not.

### THE GOVERNOR-GENERAL.

#### MOTION FOR AN ADDRESS TO THE QUEEN.

**MR. BUNSTER** moved that an humble address be presented to Her Majesty the Queen praying that, Majesty may be graciously pleased to re-appoint His Excellency the Earl of Dufferin as Governor-General of this Dominion for another term, at the expiration of



his present term of office as Governor-General. He said he felt he was only expressing the enthusiastic and warm desire, not only of every member of the House, but also of the people at large, from the Atlantic to the Pacific. He knew and felt that this was a delicate matter, and, as a rule, the introduction of the Governor-General's name in that House was to be avoided. But there were exceptions to every rule, and he looked upon the case which he now brought before the House as one of an exceptional nature, and considered it most desirable that the proposal he made should be carried into effect. He felt it most desirable that the Governor-General of this Dominion should be a gentleman, who should possess a thorough knowledge of the vast interests committed to his charge, and who should take a warm interest in the advancement of the Dominion in every way. It was beyond doubt that Lord Dufferin had shown more interest in the prosperity of this country than any previous Governor-General had done, and had made the name of the Dominion of Canada known and honoured both at home and abroad. He (Mr. Bunster) could not but feel that, in losing Lord Dufferin, the Dominion was losing her best friend. Lord Dufferin had shown an unbounded generosity and hospitality, such as we had rarely experienced in this country, and he had made the people of this country feel that he had not come here to enrich himself at their expense. He believed it was the feeling of the people that the present Governor-General should remain in office for another term, and he felt satisfied that, in acceding to the motion he had the honour to move, the House would be supported by the entire country. He believed, also, that if the salary attached to the office was made \$100,000, instead of what it now was, it would meet with the acceptance of the people, because the sum, large as it seemed, would be spent in the country, and the increase would, thus, not be missed. If a vote by ballot could be taken on this matter, he was convinced Lord Dufferin would be unanimously re-elected.

Mr. MACKENZIE: I am sure we all appreciate the motives which in-

duced the hon. member for Vancouver to move his present motion. But, while every one in the House, without exception, would be very glad to do or say anything which would give pleasure to His Excellency the Governor-General, this, at the same time, I may tell the hon. gentleman, is a mode of procedure entirely without precedent, and one which would be very inconvenient if proceeded with in the House. I propose, on Monday or Tuesday next, to submit to the House, for its consideration and adoption, an Address to His Excellency, on the occasion of his leaving the government of this Dominion, and the hon. gentleman and others will then have an opportunity of testifying all their warm appreciation of those qualities which have endeared him to the people of this country. In the meantime, I must ask the hon. gentleman to withdraw his motion, as one which it would not be desirable, under existing circumstances, to proceed with, and I am sure he will feel that the request I make is not an unreasonable one, and will concur in the view I have expressed.

SIR JOHN A. MACDONALD: I entirely concur in the proposition made by my hon. friend the First Minister. I am glad the leader of this House proposes to offer a just tribute to His Excellency the Governor-General on his approaching departure, which we all regret for our sakes, if not for his own. I think, with the hon. leader of the Government, that it would be wise if my hon. friend from Vancouver would, under these circumstances, withdraw the motion he has made. When the matter comes again, he will have a full opportunity of expressing his feelings of admiration, esteem and regard for the hon. gentleman at the head of the government of this country.

Mr. MITCHELL: I wish to make some observations on the matter. I entirely concur with the suggestions made by the leader of the Government and the hon. gentleman with whom I generally act in this House. I take the opportunity, in consequence of interpretations put on my remarks on a former occasion, to state that I entertain for the gentleman at the head of the Government of this country the very highest respect and esteem, and I

think it is only paying to that gentleman a just tribute of respect. As a man of talent and ability, who has acted with judgment, discretion and great tact, he deserves such an expression of good wishes as the Government have intimated their intention of asking this House to concur in.

**MR. BUNSTER:** Before withdrawing my motion, I desire to make a few remarks. I concur in the opinion expressed, that we have no right to make a precedent of this kind, but I claim that, in every sense, we have a right to petition, and this is merely a petition to Her Majesty the Queen, in the ordinary sense, similar to that adopted by the old Parliament of Canada, for the release of Smith O'Brien, and other Irish patriots. However, seeing the leader of the Government and the leader of the Opposition are against me, also the leader of the Left Centre, I will withdraw the motion which I expected would have met with an unanimous vote of approval.

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

#### HARBOUR MASTER OF COLLINGWOOD.

##### MOTION FOR PAPERS.

**SIR JOHN A. MACDONALD,** for **Mr. McCARTHY,** moved for a copy of the Order in Council regulating and determining the rights, powers and duties imposed on the Harbour Master for the Port of Collingwood, and fixing his remuneration, and any other Order or Orders amending the same; and a statement showing the moneys received by the Harbour Master of the said Port for the year ending on the 31st day of December 'ast, and how much has been retained thereof, and how much has been paid over to the Receiver-General.

Motion *agreed to*.

#### SECTION 12 OF THE INTERCOLONIAL RAILWAY.

##### MOTION FOR PAPERS.

**SIR JOHN A. MACDONALD,** for **Mr. MACDONNELL,** moved for all papers and correspondence between the hon. the Minister of Public Works

**MR. MITCHELL.**

and Messrs. Sumner and Somers, Contractors for the construction of Section No. 12 of the Intercolonial Railroad; and also all reports and correspondence on the part of the Chief and Assistant Engineers in connection with the construction of said section, and the claims of said Messrs. Sumner and Somers therefor.

Motion *agreed to*.

#### CATTLE KILLED ON INTERCOLONIAL RAILWAY.

##### MOTION FOR CORRESPONDENCE.

**MR. TUPPER** moved for copies of all correspondence between the Government or any official of the Department of Public Works or of the Intercolonial Railway and Solomon Keiver, in reference to a claim for the value of an ox killed on the railway near Spring Hill Station; also, copies of all correspondence between the Public Works Department or any officer of the Intercolonial Railway and Robert Boomer, of Brookfield, in the county of Colchester, in reference to a claim for the value of an ox killed on the railway near Brookfield, in September, 1875; also, copies of all correspondence between the Public Works Department or any official of the Intercolonial Railway and H. A. Davison, of Black River, in reference to a claim for a horse killed on the railway in October last. He said he regretted that the hon. the First Minister was not in his seat at the present moment, because if he (**Mr. Tupper**) received some information which he sought, he would withdraw his motion. Perhaps, however, the Minister of Finance or one of his colleagues would be able to let him know what he desired. Since the motion was placed on the notice paper, a measure had been brought in by the First Minister for the purpose of dealing with matters of this kind, and if he (**Mr. Tupper**) could receive an assurance that the means provided under that Act would be used on an early day for the purpose of investigating those claims referred to in the motion, he would withdraw it.

**MR. CARTWRIGHT** said, on that understanding, he would call the attention of the hon. the First Minister to

the matter, and he had no doubt he would agree to the suggestion.

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

#### REBATE OF DUTIES ON AMERICAN MERCHANDIZE.

##### MOTION FOR STATEMENT.

MR. JONES (South Leeds) moved for statement of all rebate of duties on merchandize of any kind imported from the United States into the Provinces of Ontario and Quebec for the fiscal years 1875 and 1876, and 1876 and 1877, up to the 1st January, 1878; the names of parties to whom and the cause for which such rebate or rebates were made.

MR. BURPEE (St. John) asked if the hon. gentleman referred to cases in which refunds were made.

MR. JONES said he meant all kinds of merchandize on which, for some reason, too high a duty had been paid at the port of shipment from the United States, and cases where the actual invoiced price of goods only should have been paid.

MR. BURPEE said the return would have to be obtained from the various ports where the refunds had been made, but the Department would do what they could to obtain the required information as soon as possible.

MR. TUPPER said there were several instances in which the manufacturers in Canada had complained of the Government admitting merchandize that came into competition with that of our own country, at a valuation altogether inadequate to what the merchandize could be produced for. He had been told that iron bridges had been erected in Canada within the last few years, and that manufactured bridge iron had been imported into the country at a rate of value altogether inadequate and far below what any person could purchase such material for either in Canada or the United States. It was not right to give parties outside of this country such opportunities for bringing their manufactured materials into the country, in competition with our own industries; at all events, we should have the

advantage of the imposts which the law fixed upon such manufactures. Our manufacturers would not be protected even to the extent of our own tariff, unless the valuation was quite equal to the cost the articles were manufactured for in the country from which they came. If the resolution did not include an enquiry into this matter, he was very desirous that it should do so.

MR. JONES said he was very glad to accede to the suggestion of the hon. gentleman (Mr. Tupper), for he was aware that a large quantity of goods were brought into this country at a valuation at which it was impossible the goods could have been made. He thought a more efficient system of appraising was needed, and that this country was robbed of hundreds and thousands of dollars every year through the present deficient system of appraising the imports. He would be glad to know if the Government were prepared to appoint as appraisers, men who understood every description of goods coming into the country. By adopting such a system, hundreds and thousands of dollars of the people's money would be saved.

MR. BERTRAM said he knew a case in which an iron bridge was imported into this country at a valuation much below its cost, but afterwards it was seized, and a considerable amount of duty demanded upon it over and above the valuation. He believed the attention of the Department had been called to the importance of this matter some time ago, and he only rose to press upon the Government that the full amount of duty should be exacted on all goods manufactured in other countries.

MR. PLUMB said he believed that the manufacturers of the United States were in the habit of duplicating invoices in order to pass their goods into this country at less than their value. He had often heard complaints of that kind, and he knew the abuse was very common. He thought there should be some special means taken to ascertain when there was any notorious or obvious instance of evading the law by that method. It was a great hardship to

our manufacturers in Canada, not only to be subjected to the pressing competition of the manufacturers of the United States without protection, but that those manufacturers should be allowed to bring in their goods at even less than the tariff rate. It was notorious throughout the country that abuses of this kind were constantly taking place, and that the Government were deprived of even the small duties imposed by the revenue law. He would undertake to state that, instead of the  $17\frac{1}{2}$  per cent. which we ought to get on the  $17\frac{1}{2}$  per cent. list, we did not get in reality over 10 per cent., and he fancied that, in many cases, we did not get even that. He trusted that what had been said would draw the attention of the Minister of Customs to this flagrant violation of the law, and that he would cause some enquiry to be made into this abuse, which was yearly increasing, and which was doing the greatest harm to the best interests of the country.

MR. YOUNG said he had given some attention to the matter, and he believed it was quite correct, as stated by the hon. member for Peterboro' (Mr. Bertram), that action had been taken by the Department to prevent goods being brought into this country from the United States at lower prices than they could be bought in this country. He believed this course was still pursued, and so far from the statement of the hon. member for Niagara (Mr. Plumb) being correct, that this evil was increasing, it was the very opposite. The attention of the Government having been directed to the matter, steps were taken for preventing persons from invoicing goods at a lower rate than they cost on the other side, and the evil was not growing in any way whatever; and so far from the amount of duty paid being only 10 per cent on the  $17\frac{1}{2}$  per cent. list in the Press, a charge was brought against the Government of having charged more than 20 per cent. on certain goods imported. So the complaints of the hon. gentleman had been met before they were made, and complete justice was being done in the matter.

MR. MITCHELL said he quite agreed with the hon. gentleman who

MR. PLUMB.

had last spoken that the evil was not on the increase, but he had no hesitation in saying that there was an evil, and that it was localized. If they took the smaller ports, they would find cases such as those referred to by the hon. member for Niagara, where goods were undervalued, but in Montreal and the larger ports a strict scrutiny obtained. He knew one person who had some difficulty with his goods. It was an iron bridge, and the gentleman wrote to him asking him what was the law and what was his remedy. He stated that the gentlemen at that port were making him value his goods at more than he supplied them, and he knew for a fact that the gentleman had some difficulty in obtaining redress. He pointed out to the appraiser the incorrectness of the valuation, but the same difficulty arose there as in regard to the railway management, the officer of that Department, the Collector of Customs, being, by law, one of the appraisers, having the selection of other appraisers. They appraised the goods at more than they were worth, and although the gentleman produced affidavits as to their cost, he had to pay something like 50 per cent. additional duty. The evil in the port of Montreal was carried to the other extreme. He thought there should be some uniform system of valuing goods, that the value should be ascertained by some regular method, and now that the attention of the Minister of Customs had been called to it, he trusted something would be done.

MR. BURPEE said this subject had received great attention from the Government during the last two years, and they now imposed the duty on the value of the goods at the place they were purchased. To ascertain the value of goods in Canada they had inspectors—one especially, who managed this business entirely. He not only visited the general ports of Canada, but often visited the principal markets of the United States, to ascertain the value of the goods there, so that as far as possible he might keep himself posted as to the value of goods in the United States particularly. He had paid particular attention

to it, and many seizures had been made of goods from the United States that were under-valued. The Department had received complaints from several manufacturers with respect to over-valuation; one they received from a manufacturer at Hamilton, and six months were spent in investigating it. The papers were afterwards sent to him, and he admitted that the valuation was correct. The Department had had two or three cases of that kind, where manufacturers had sustained the valuation of the inspector. They paid strict attention to the matter in the large ports of Montreal and Toronto, and in the smaller ports, as far as they were able, but, of course, they could not afford the same expense for all the smaller ports.

Mr. WHITE (East Hastings) said that an American manufacturer, having an order for an iron bridge in Canada, offered an Iron Bridge Company at Hamilton to run their shops and allow them to build the bridge, as by this means they would save the duties. He thought that, considering the quantity of coal and iron in this Dominion, it was the duty of the Government to try to protect our manufactures. Manufacturers said that they could manage on an import duty of  $17\frac{1}{2}$  per cent., but that if it was lower, they would not be able to compete.

Mr. MACDONALD (Toronto) said that, when the papers came down for which the hon. member for South Leeds had called, he would find that the revenue had not suffered to the extent which he had stated. In dry goods, which constituted the principle imports of the country, the instances of under-valuation, and in this, he thought, the hon. the Minister of Customs would bear him out, were very rare, if, indeed, there were any at all. In bonded goods, in which the Americans dealt very largely, if the rule proposed were adopted, that one buyer should pay duty upon the original cost, very great hardship might be done him. Styles changed and values changed, and goods held were often offered from 25 per cent. to 40 per cent. less than the English price, at which price they would be very dear to the buyer indeed. It

would be a case of extreme hardship if he were told the duty must be paid on the original price in Great Britain, if at that price the goods could not be handled at all. Some of the hon. members claimed in the discussion, that the duty should be paid upon the value at the place of manufacture. It not unfrequently happened that the American merchant, having these goods and being unable to sell them, sent them back to Great Britain again. He had had frequent opportunities of knowing the care exercised in the Custom-houses, how, even, owing to the smallest variation in price, goods were sometimes arrested and detained until the exact value was ascertained, sometimes to the great annoyance and inconvenience of the parties themselves. He would be a very clever expert, indeed, who could have all the knowledge which it was claimed these officials ought to have. It appeared to him very absurd that American manufacturers should continue to send goods to this country so much below the cost of production. There was only one way in which he could understand this, that there must be collusion between the American manufacturers and the men to whom they shipped. If such were the case, the only cure was absolutely to seize and sell in every case, irrespective of the party to whom the goods were consigned, and to allow no influence, political or otherwise, to exonerate the guilty parties. If the goods were seriously undervalued in the invoice, through dishonest means, most assuredly they ought to be seized and sold.

Mr. CURRIER said, while he believed that goods ought to pay duty on their market value at the place where they were shipped, at the same time, he felt bound to say that many people were under a misapprehension about the valuation of those goods. He knew that, during the past summer, it was commonly reported that certain iron work, bridges, etc., were being imported into this country at an under-valuation. He had occasion, himself, to go to the Department in the interest of the parties who were importing these goods, and he thought the hon. the Minister of Customs was satisfied,

as he, himself, certainly was satisfied, that the prices at which these goods had been entered, were, actually, the prices which the contractors had paid for the goods at the place where they were manufactured, Philadelphia. The price was very low, so much so that he did not think any manufacturer in this country would undertake the same kind of work. He was satisfied, from what had taken place on that occasion, that the invoices were correct, and that the actual prices paid were the prices upon which the Customs duties were charged.

MR. SCRIVER said he had listened with a good deal of surprise to the statements of the hon. member for Niagara. They were, surely, exaggerated, or else the state of things at the offices upon which he had directed his observations, certainly called for an examination and investigation. If it was a fact that, at Niagara, or any other frontier port, collectors allowed imported goods to be entered so that the duties on them only amounted to ten or even as low as five per cent., it certainly argued the existence of a state of things which called for strict investigation. Like the hon. gentleman, he, too, came from the frontier, and had occasion to know something of the course pursued at the various Custom-house offices on the frontier, and he was prepared, unhesitatingly, to say, with the hon. member for Waterloo, that the state of things in this regard had greatly improved, and that the instances in which entries of goods were made at less than their value were very much rarer than formerly. The means of information and the supervision employed with regard to this office were much better now than formerly. The hon. the Minister of Customs had already spoken of the system of inspection and comparison of invoices, which was a great improvement. The Collectors at the various frontier ports were furnished frequently with information from the head office, which enabled them to avoid errors to any great extent in this respect. So far as the frontier ports were concerned, the instances in which manufacturers were allowed to

enter goods at much less than the real value were very rare indeed.

MR. CARTWRIGHT said that a very large portion of the difficulty, particularly with respect to the instances alluded to by the hon. member for South Leeds, had arisen from the enormous shrinkage which had taken place in all articles in which iron entered. He had occasion to make enquiries into that matter very recently. He was astonished to find to what an extent that shrinkage had occurred. One of the largest firms reported that, on one class of articles, in four or five years, the shrinkage had gone from 53s. to 37s. stg. on certain classes of articles. This he gave as an illustration of the enormous shrinkage in iron. The other main articles, of which this firm was good enough to furnish him a list, had also shrunk in the same proportion. When the values of articles diminished in such an enormous proportion, appraisers, particularly in small ports, were often put to great difficulty to form a correct opinion of the articles imported. He was bound to say, however, that an immense number of complaints had been made with respect to over-valuation by officers of Customs, on articles imported from the United States. They had unmistakable evidence that, in some instances, there had been rather over-valuation than under-valuation, as, indeed, had been asserted by the hon. member for Cumberland. As to the point raised by the hon. member for Cumberland, the desirability of having an uniform system of appraisement, the Government were keenly alive to the importance of the subject, and, if the hon. gentleman had any suggestions to make, he had no doubt the hon. the Minister of Customs would be very glad to hear them. At the same time, the hon. member knew, that in a country with such an extensive frontier as ours, and in which there was such an immense number of ports of entry, all the vigilance that could be exercised would not prevent collectors and appraisers at those various ports valuing, in some instances, the same description of goods at different rates. The Minister of Customs had devoted an im-

MR. CURRIER.

mense amount of his personal attention to guard against such errors, and had employed several additional Inspectors, men of high capacity, and great familiarity with this kind of business, whose special duty would be to introduce an uniform system of appraisalment. What he desired to call attention to, was the difficulty the Customs had to labour under in fixing values at such an immense number of ports of entry. The question of reducing these ports of entry had been discussed more than once, but a great aversion was felt by the people to having any of their facilities for business reduced. In England and other countries, the ports of entry were far more limited than in this country. The hon. member for South Leeds had, no doubt, some ground for his complaint, in some instances, in some of the smaller frontier towns, and if he would give the Minister information as to any errors of this kind having arisen, he was quite sure his hon. friend would take every possible precaution to have them rectified, and to cause an uniform appraisalment to be made.

*Motion agreed to.*

ALEXANDER FORBES' CLAIM FOR WORK  
ON INTERCOLONIAL RAILWAY.

MOTION FOR CORRESPONDENCE.

MR. TUPPER moved for copies of all correspondence between the Government or Public Works Department or any official of the Intercolonial Railway and Alexander Forbes, in relation to his claim for compensation for work performed by him on the railway, and losses sustained in connection with the execution of such services. He said he wished to show the grounds on which this motion was based. Mr. Forbes claimed that he had made a verbal agreement with Mr. Carvell, the manager or superintendent of the railway in 1873, for the construction of a snow fence in the western, central and eastern divisions; that there was a plan and specification supplied by Mr. McNab, the Government engineer on the Intercolonial railway, and that the work was undertaken by him upon that plan and specification, and under that verbal con-

tract; that, after he had engaged in the work, the construction of a snow fence apart from the ordinary fence, it was decided that it would be better the snow fence should become the ordinary fence, and directed him to remove the old fence and to replace it with a snow fence; that, under instructions from McNab, he changed the work and constructed this snow fence to the satisfaction of the departmental engineer, but that his claim for extra work involved in removing that fence, which was very considerable, was not allowed, although he was paid the contract for the work as originally made. He also claimed that he was directed to construct a snow fence at Onslow, and that after his material had been all brought to the ground, he was directed to remove and construct this fence at Lansarder, involving very considerable additional expense owing to the change. He also complained that he was instructed to move the snow fence at Port Lennox and to place it some sixteen feet further back, to widen the track; that he had not been paid for that removal, and that a large amount of material had been placed upon the ground by the orders of the Department; the work in the meantime was suspended at a considerable loss, for which he had claimed compensation, but did not obtain it. He also complained that he had sold to the Government a quantity of lumber for which he had not been paid; that when engaged with the construction of the work along various divisions, he had agreed with the Department that they should carry material at existing tariff rates; in the meantime a large advance was made upon those rates, and he was obliged to pay the increased prices, and he claimed to be refunded that amount by the Department. As Mr. Forbes paid in one year \$1,000 for carriage of material, the difference in the rates would amount to a considerable sum. An appeal was made to Mr. Luttrell, but it was refused; owing to the fact of Mr. Carvell, with whom the agreement was originally made, being out of office, the officers probably did not consider themselves sufficiently acquainted with the case. Mr. Forbes also complained that he was employed to construct, in July, 1876, a large

amount of fence on the Windsor Branch, had only paid him at the rate of 49c. per rood, and that they paid him according to the length of railway, along the side of which the fence ran, instead of the length of fencing, the quantity thus paid for being 241 roods less than that actually constructed, because the railway ran on the level, while the fencing crossed hills and valleys. He hoped the hon. the First Minister would verify those statements, in order that there might be a fair readjustment of the claim. He was not aware whether such a claim could be dealt with by the mode suggested by the hon. the Premier for dealing with other matters, but when one of the arbitrators was in the neighbourhood he could be instructed to receive such testimony as Mr. Forbes might be able to produce, as to the character of his claim, in order that justice might be done.

MR. MACKENZIE said that no doubt the railway officials believed they had treated Mr. Forbes justly. In regard to the term "existing rates," that would mean the rates prevailing at the time the work was carried out. He would examine the papers, which he had not yet seen, and if there was any ground for allowing an arbitration in the matter, it would be done on the usual terms.

MR. TUPPER said that, under those circumstances, he would withdraw the motion. The hon. the First Minister, on reconsideration, would, no doubt, see the great unfairness of the position which he had just taken in respect to rates. The Public Works Department made a contract with a party for the construction of a certain amount of fencing along a line of railway; at that time there was a certain rate established by the Government for the carriage of materials, and it was agreed that he should pay that rate. If the rate was doubled, the contractor might be almost ruined.

MR. GOUDGE said he desired to draw the attention of the Government to the fact that Mr. Forbes did not bear a very estimable character in the section of country in which he resided. He had been in the habit for some time past of contracting with the Gov-

ernment for building railway fences at lower prices than the work could be done by persons, who, perhaps, were in an equally good position to perform the work. The reason given—and the matter had been brought to his attention by very respectable men—was that Mr. Forbes went into districts, engaged in building railway fences, purchasing materials and supplies from local parties, and as soon as he had obtained payment for the contract he removed from the district, so that creditors could not reach him. These facts were brought to his (Mr. Goudge's) notice a few weeks before leaving home, and the request was made that the matter should be investigated. He had brought it to the notice of Mr. Brydges when in Ottawa. It was, therefore, desirable that the Government should examine the claim with much care and caution, for he seemed to make his profits either by obtaining compensation for extras, or by getting material and supplies from parties for which he never paid. It was desirable that the Government should be aware of the character of the man, as it was held in the county of Hants. He regretted to say Mr. Forbes had been a resident of Hants for some years, but he had recently removed, leaving his bills unpaid, and his creditors had found it impossible to reach him and procure payment for supplies they furnished him for the purpose of building the fences.

MR. MCKAY (Colchester) said he did not think the hon. member for Hants (Mr. Goudge) was justified in making such an attack. He (Mr. McKay) had known Mr. Forbes during twenty years, in fact they were boys together, and he had known him very intimately ever since in connection with building railway fences. He had never heard any complaint made against Mr. Forbes of the character referred to by the hon. member for Hants, and even if that gentleman was behind in the payment of some of his bills, that was no reflection on his character. He was informed that the Government owed Mr. Forbes \$2,000, and that fact might partly be the reason why he had not been able to meet all his bills just when they became

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due. He was not aware that Mr. Forbes moved about from place to place for the purpose of evading payment of accounts due by him; on the contrary, he had had dealings with him and could always find him when he desired to do so. He was politically opposed to the hon. member for Hants and was rather too outspoken for his own benefit, and that might account for the attack which had been made upon him by that hon. member.

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

#### LAND CLAIM OF JOHN REID.

##### MOTION FOR CORRESPONDENCE.

MR. RYAN moved for copies of all correspondence between the Dominion Government and the Hudson Bay Company relative to the claim of one John Reid, of the parish of High Bluff, in the Province of Manitoba, to the south-east quarter of section nineteen of township twelve of range five, west of the principal meridian in the said Province, by reason of his settlement thereon, under the homestead provisions of the Dominion Lands Acts; for which quarter-section a patent is alleged to have been granted to the Hudson Bay Company, after the said John Reid had been actually settled thereon. He said the case of Mr. Reid, referred to in the resolution, was one of peculiar hardship, and it was desirable that the attention of the Minister of the Interior, and the consideration of the House, should be directed to it. Mr. Reid left the Province of Ontario, and went to Manitoba with a large, industrious family in 1871. Before the survey of the township in which the land claimed by him was situate, he took up a quarter-section of land, under the circumstances stated in the affidavit made by him on his application for a patent, a copy of which he (Mr. Ryan) held in his hand, and would take the liberty of reading to the House:

County of West Marquette, to wit:

I, John Reid, of High Bluff, in the county of West Marquette, farmer, make oath and say:

1st. I took up the south-east quarter of section nineteen, of township twelve, of range

five, west, as a homestead in the month of July, A. D. 1872 (seventy-two), before the completion of the survey of said township.

2nd. In July, 1872 (seventy-two), I put up a board shanty and began to reside upon and improve said homestead, breaking about three acres and digging a well during the summer of 1872.

3rd. During the winter of 1872-3 I got out logs for a house 18x22 feet, which I erected on said claim or quarter section in July, 1873.

4th. I have now under crop on said quarter section twenty-one acres, and about thirty are enclosed.

5th. I have resided upon and cultivated the said quarter section continuously since I took it up in July, 1872, excepting that during the winters of each year I have, with my family, moved into the woods for about three months, for the purpose of getting out fencing, building timber, etc., for said homestead.

6th. The said dwelling-house erected by me, as above stated, in July, 1873, is still on said homestead, and has attached to it a kitchen, 16x20 feet, erected in June, 1875.

7th. I have also on said quarter section two stables respectively, 20 feet square and 14x20 feet.

8th. The number of my wood lot held by me in connection with the said homestead is 3 (three), of township 11, range 5, west.

9th. I am a British subject by birth.

(Signed) <sup>his</sup> JOHN X REID.  
mark.

Sworn before me at Portage La Prairie this 17th August, 1877.

(Signed) JOSEPH RYAN,  
A Comm. in B.R., &c.

The affidavit was sworn to before him (Mr. Ryan), and he had a personal knowledge of the correctness of most of its contents. A couple of years ago Mr. Reid having ascertained that the Hudson Bay Co. were alleging a claim to the quarter section in question, wrote during the Session to him (Mr. Ryan), who at once went to the Department of the Interior and received the assurance from the Surveyor-General that there was no occasion for alarm; that the Government would protect Mr. Reid, also a Mr. Hall and others similarly situated; and that the Government were then in communication with the Hudson Bay Co. expressly to protect them. These assurances were at once communicated to Mr. Reid and Hall, and acting on the strength of them, Mr. Reid had gone on improving his homestead until he had now about fifteen hundred dollars,

worth of improvements on it. Having performed the settlement duties required by the homestead clauses of the Dominion Lands Act, and having made the improvements described in his affidavit to the value stated, Mr. Reid, last August, applied for the patent for his homestead. In reply to his application, Mr. Reid, to his surprise and sorrow, was informed that, notwithstanding the assurances previously given him by the Department of the Interior, he was not to be protected in possession of his homestead, that it (although not originally a quarter-section belonged to the Co., under the provisions of the deed of surrender) had been patented to them in lieu of a quarter-section which they had lost, and that he would have to make such settlement as he could with the Co. He (Mr. Ryan) desired merely to state the naked facts of the case without comment, but he could not refrain from saying that it would inflict a heavy blow on the best interests of settlement in Manitoba and the North-West if the assurances of protection given Mr. Reid and others like him were not carried out. Without further remarks he would leave the matter with the House, and he hoped there would be such a full and strong expression of opinion from both sides as would convince the Government of the absolute necessity of protecting Mr. Reid in the possession of his homestead.

MR. MILLS said that the statement of the facts was, he believed, such as the hon. member for Marquette had represented. Some time shortly after the Hudson Bay Company came into possession of the lands in that particular district under the operation of the Dominion Lands Act, it was found that one of the quarter-sections allotted it was occupied by a settler. Under the provisions of the Act, they selected another quarter-section in lieu of the one so occupied, and this quarter-section was the one on which Mr. Reid resided, and on which, he believed, Mr. Reid was a resident at the time. This, however, was then unknown to the Government or the Department, and the patent was issued to the Hudson Bay Company for this particular quarter-section

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occupied by Mr. Reid, instead of the one that was allotted to it under the operation of the Act. This transaction took place in 1873, when hon. gentlemen opposite were in possession of the Government of the country. It was, no doubt, a mistake, but the House would readily understand that the legal title had passed entirely away from the control of the Government, and was now in possession of the Hudson Bay Company.

MR. TUPPER: When was the legal title passed?

MR. MILLS: At the time the patent was made, in 1873. However, he might say that this and a number of other claims had been a matter of correspondence between the Department and the Hudson Bay Company. They were still open questions and undisposed of. There were certain differences which had arisen between the Government and the Hudson Bay Company with regard to the construction of certain points in the Dominion Lands Act; but, he had no doubt whatever, that when a settlement was reached, the company would make no objection to transferring this lot of Mr. Reid's and accepting some other lot of equal value in its place. He might state what the real point at issue between them was in this particular: It was provided in the Act that when certain lots which fell to the Hudson Bay Company were found to be settled upon, the company might accept other quarter-sections in lieu thereof. It was the contention of the Government that these other sections must be situated in the same township, while the company contended that they ought to be permitted, and that it was the intention of the company and of the Government of the day, that they should be permitted to select other lands in lieu of them wherever they found such lands unoccupied in the North-West Territories. This was the issue at present undisposed of, and, when they arrived at a conclusion, he had no doubt that this matter would be disposed of at the same time.

SIR JOHN A. MACDONALD: That is a rather extravagant pretension.

MR. MILLS: I am afraid that the pretension has some grounds given to it by the correspondence of the hon. gentleman's friend.

MR. TUPPER said he hardly thought that the explanation given by the hon. the Minister of the Interior would be regarded as adequate to meet a case of such gravity as this. The object of the Government, and one of the prime objects, ought to be by every means in their power to facilitate the settlement of the North-West. Every measure that the Government could take to induce reliable settlers to go to that country was a measure properly taken in the interests of the whole Dominion. The very foundation of the settlement of the country rested on good faith being carried out between the Government and the individual settlers. The Hudson Bay Company was a very powerful corporation, having enormous rights in the North-West, and having the advantage of possessing an able representative on the floor of the House, who was known to have great influence with the Government of the day. He held that it was of the very greatest importance that the general public and the people invited to commit their future to that distant country, should have the strongest possible assurance from the Government that fair play and even-handed justice would be meted out to them, even though their personal interests came into collision with the interests of the great Hudson Bay Company. If this was not the case, the result would be most fatal to the interests of the country, because one of the greatest possible hindrances to the settlement of the country would thereby be created. Taking the statement as made by the hon. the Minister of the Interior, it amounted to this: that owing to a mistake on the part of the late Government a patent was made out conveying a quarter-section of land which, rightly, it was not in the power of the Government to convey to the Hudson Bay Company; that it was wrongly conveyed, and that it was at the time in the possession of this Mr. Reid, which possession erected a legal barrier against this patent being so given; and that the rights of this in-

dividual had not only been ignored, but that down to the present time from 1873 this individual, who was represented to have put about \$1,500 worth of improvements upon this quarter-section, had been unable to get a legal title to it. Was this going to remain? Five years had already elapsed; and was this state of things going to remain for five or ten years longer until the Government could make some settlement with the Hudson Bay Company on a large number of controverted questions, now under discussion. He understood the hon. the Minister of the Interior to hold out no hope, in response to the application of the hon. member for Marquette, to this individual, who had at this moment his all probably in danger regarding this matter, that any speedy justice, whatever, would be given him; but the hon. gentleman appeared to rely upon the justice, or magnanimity, or generosity of the Hudson Bay Company at some future period, when they came to a settlement with the Government on other matters satisfactory to themselves, to kindly hand over and surrender the patent for this quarter-section, and take one instead of it somewhere else. He held that the Government was bound, if a mistake was made on the part of the Government, to redress it.

MR. MILLS: How?

MR. TUPPER: By giving compensation, adequate and abundant compensation, to the individual who had been induced to go into this distant country and settle there in the country's interest, as well as in his own, for the wrong done him by the mistake made when the quarter-section in his occupation was handed over to the Hudson Bay Company. He did not think there would be any difficulty in doing so. The statement of the hon. the Minister of the Interior, as he understood it, was that, owing to an error on the part of the late Government, they had given a patent to the Company for this quarter-section already in the possession of Mr. Reid, who, according to the hon. member for Marquette, and he believed Mr. Reid's affidavit, had made very large improvements, and

probably invested everything he had in the world in improving this property. Under these circumstances, the Government was bound to give redress.

**MR. MILLS:** Redress? The man wants his land.

**MR. TUPPER:** Very well; but payment for the land would be equal to it; and if it was not in the power of the Government, owing to the patent having passed out of its hands, to restore the land, and if the Hudson Bay Company will not surrender this quarter-section of their enormous possessions, and would not at once accept a quarter-section somewhere else in that wide country instead of it, he held that the Government should not leave this man's claim in abeyance until the end of his natural life, and allow him to toil there without knowing whether he was working for the Hudson Bay Company or his own family, but was bound by every principle of justice under the circumstances to remedy the consequences of the mistake made, not by the individual, but by the Government, and grant the substantial redress which it was in their power to give, either by inducing the Hudson Bay Company to accept a quarter-section of land in some other locality, and thus leave this man in possession of his rights; or, if they could not accomplish this, to make compensation to this party by giving him a quarter-section in another place, and by compensating him for the improvements which he had made on this land, and which he (Mr. Reid) felt, under the existing circumstances, were completely in peril.

**MR. SMITH (Selkirk)** said that he had probably heard of this case, but he did not know the particulars regarding it. He, however, had no reason to doubt that they were as represented by the hon. member for Marquette. Under the provisions of the Dominion Lands Act, the Hudson Bay Company had the right to retain certain sections in every township, no matter by whom occupied in advance of the surveys,—that is sections 8 and three-quarters of section 26 in certain townships, and the whole of sections 8 and 26 in other townships. Up to this time the Company had not ejected any individual

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who had settled in advance of the surveys on any one of these sections to which the Company had an absolute right. It was true that it had not yet selected in lieu of them, as an arrangement with the Government in this relation was pending; but he might say that the hon. Minister for the Interior had taken a very great deal of interest in having this matter settled as speedily as possible. He hoped it would very soon be disposed of, and did not think Mr. Reid had any cause to be alarmed with regard to his quarter-section. He did not conceive that the Hudson Bay Company wished to dispossess him of the improvements which he had made, and, up to the present time, in their communications with the Government on these matters, they had never shown any disposition or expressed any wish to eject settlers from any section of land in respect of which they had that option. The hon. member for Cumberland had referred to him as being a representative of the Hudson Bay Company in that House. He begged to say in reply, that representing, as he did, the county of Selkirk on the floor of that House, he looked upon the Company merely as one of his constituents. He felt assured that the present Government, as well as that which preceded it, of which the right hon. member for Kingston was the head, would bear him out in stating that the Hudson Bay Company had never shown any grasping disposition, and had never desired anything more than they were in justice entitled to.

**SIR JOHN A. MACDONALD** said there was no doubt that the hon. gentleman represented the county of Selkirk, and that the Hudson Bay Company was one of his constituents. He thought, however, the hon. gentleman stood exactly in the same position as the representative of Old Sarum before the Reform Bill, where the electors consisted of an old tree and the person returned was a portion of the bough. On behalf of the Hudson Bay Company, which meant the same thing as the county of Selkirk, he claimed the absolute right over the piece of land in question.

**MR. SMITH (Selkirk)** said he had not made such a statement. What he

did say was that they claimed the absolute right of the sections 8 and 26. Mr. Reid's farm was not, as he understood, a portion of either of these sections, but had been patented to the company in lieu of some of the other lands found to be settled on—at least so he (Mr. Smith) understood the case.

SIR JOHN A. MACDONALD said that if the company had no absolute right to this particular piece of land, the matter stood thus: In consequence of the mistake made by the late Government, this land was given over to the Hudson Bay Company. Why then was not that mistake rectified? He did not know the provisions of the Dominion Lands Act, but he was familiar with the provisions of the Public Lands Act of the late Dominion of Canada, and one of those provisions was that the Commissioner of Crown Lands, if no reference was made to the Court, could at once rectify the error. He did not know whether there was such a clause in the Dominion Lands Act, but if not, there ought to be. For many years the course of procedure to which he referred had been in force. The present question was a very simple one. Had the Crown, at the time this land was granted to the Hudson Bay Company, the right to make that grant? If they then had, it was a question of compensation against an injury from the inadvertent exercise of that right; but if they had no right, then this man had acquired a possessing right over the property.

MR. MILLS: He was not on the books of the Department and could not, therefore, be considered a resident.

SIR JOHN A. MACDONALD said that was a very weak argument to put forward. If an emigrant settled on land with the desire of improving it, if he built a house for the occupation of himself and his family, he (Sir John A. Macdonald) did not think the mere fact of his having neglected to register his name should deprive him of the right of compensation. The statement made by the hon. member for Selkirk, that the Hudson Bay Company had not ejected settlers heretofore, was a very unsatisfactory answer to the

question which had been raised. No doubt they would not like to take any decided step of that kind, because it would cause a *furor* in the country. To do so would tend to injure their own interests. For that reason alone they would, no doubt, be inclined to do justice and deal ever generously with settlers in their section. This Mr. Reid, however, had no assurance that his title to the property which he now occupied was secure, nor could his family look forward with certainty to inheriting it.

MR. BLAKE said it was clear this man's claim was only a moral one, but it was one which he had no doubt the Hudson Bay Company would be ready to recognize before that of any other landed proprietor. It was obviously their interest to make any reasonable arrangement they could. He did not see why this should not be dealt with as an isolated case, and dealt with at once. No doubt the Hudson Bay Company would be willing to exchange another piece of land for this. Mr. Reid did not want compensation, and he (Mr. Blake) could well understand that. Settlers who went into a new country and entered into the occupation of a piece of land, would, after they had spent their labour upon it, prefer that land to any monetary compensation which might be offered them. He thought the efforts of Parliament in the present case should be directed towards securing Mr. Reid his land; and seeing he had got into a difficulty, they must, in the interests of the country; make good his title, though it might be an imperfect one. No doubt this would be done. If he might be permitted to add one word, he would say that the observations of the hon. member for Selkirk were not necessary. Of course, it was not a very numerous constituency; it was not very much larger than the borough of Kingston, which his hon. friend on the other side of the House represented. There might, indeed, be a thousand or two thousand more souls in the county of Selkirk than in the borough of Kingston. He (Mr. Blake) felt certain, however, that the electors of Kingston would not think more of their representative for comparing

them with the rotten borough of Old Sarum.

MR. SCHULTZ said that he desired to support the views of the hon. member for Marquette, in relation to the case of John Reid. It was clearly a matter of hardship that a person who had gone on land in compliance with the notice of the Land Office to those who settled in advance of the surveys, and who had complied with all the conditions since, should now be disturbed in his possession for the convenience of the Hudson Bay Company. It would appear that the quarter-section in question was not one of those granted to the Hudson Bay Company, but was given to the Company in lieu of a quarter-section to which they were entitled, and, now that the circumstances were known, the Hudson Bay Company should at once give up this settler's land, and receive some other land in lieu of it. In the county of Lisgar there were cases where parties had gone on Hudson Bay lands for various causes, and the Government had given them lands elsewhere; but, he was sorry to say that land in some cases had been given within the hay privilege belt—that the Government had no right to give, and the Hudson Bay Company should not, in honour, have received.

MR. MCKAY (Cape Breton) begged to move, in amendment to the motion of the hon. member for Marquette, "That this House do now adjourn." In making the motion he could not refrain from stating that it seemed to him the right hon. member for Kingston had been guilty of sharp practice, when he attempted to keep the hon. member for Hants from saying a few words of explanation in connection with a matter raised in the House by other hon. gentlemen.

SIR JOHN A. MACDONALD: I rise to a point of order; the hon. gentleman is alluding to a debate now closed.

MR. SPEAKER: I did not understand that the hon. gentleman alluded to a debate, but to a fact. The hon. member for Cumberland took certain means to prevent the hon. member for Hants from making a statement which

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he chose to make. I think, however, the hon. member for Cape Breton was wrong in saying that this was sharp practice.

MR. TUPPER: I am not aware that I took the slightest part in preventing the hon. member from speaking.

MR. GOUDGE: Referring to one Alexander Forbes as resident in the county of Hants, I desire to say that I know nothing of him politically, nor have I any personal knowledge of him. In fact, I did not know what his political leanings were till to-day.

MR. SPEAKER; The hon. gentleman is referring to a matter that is passed.

MR. GOUDGE said he would refer to a contract which Mr. Forbes had in Hants, and that it was not conducted by him as it ought to have been, and the parties from whom he purchased material had not been paid by him. He had thought it desirable, in the interests of the public, that this should be brought under the notice of the House. He did not bring it forward from any political feeling whatever.

MR. RYAN said he rose to a point of order: the hon. gentleman had alluded to a past debate. He also objected on the ground that the time for replying was after the hon. gentleman made the mis-statement, or when he had done speaking.

MR. SPEAKER said the latter was a different matter altogether, and the hon. gentleman could not be ruled out of order in that case.

MR. GOUDGE said he was not aware that Mr. Forbes was an elector in the county of Hants. He knew nothing of his politics, and was only influenced by a desire to promote the public interests. But probably the House, by this time, understand why the hon. members for Cumberland and Colchester are so earnest in promoting the claims of Mr. Forbes.

MR. SMITH (Selkirk) said that, knowing the hon. member for Lisgar was suffering from ill-health, and sympathizing with him on that account, he was determined that

nothing personal should pass between them, or that there should be any repetition this Session of what had occurred on former occasions. He hoped that what he had said with regard to the particular section of land occupied by Mr. Reid would be satisfactory, especially to the hon. gentleman who was his advocate in the House. With regard to the other matter, that of the representation of the county of Selkirk, in future, he would have no hesitation in leaving it, and he did leave it with confidence, to the electors to decide the issue.

MR. TUPPER said he was very much at a loss to know why the hon. member for the county of Hants should have been at such great pains to deal with the circumstances and position of Mr. Alexander Forbes, who was said to have been unable to meet certain liabilities which he incurred in the county of Hants. It appeared that this man had claims against the Government which had not been met, and it was impossible for him to pay his creditors till that was done. He did not propose to defend the personal character of this claimant, because he knew nothing about him; but there were gentlemen in the House who, having known him for twenty years, spoke of him as an estimable character and a straightforward man, who was entitled to confidence. The hon. the First Minister himself said his claim was, at all events, entitled to fair and just consideration, and he (Mr. Tupper) did not think the hon. member for Hants had any grounds for taking up the cause of Mr. Forbes' creditors so zealously without giving any heed to the claims which he preferred against the Government.

Motion for adjournment of the House, *withdrawn*.

MR. RYAN said that, after the universal expression of opinion given by hon. members as to the necessity for protecting settlers in the Province from which he came, and after the assurances he had received from the Minister of the Interior and the hon. member for Selkirk, he did not think it necessary to add one word to his former remarks. It seemed to have been taken for granted that the claim

made by Mr. Reid was one of equity' but he was of opinion that it was also well founded in law. There could be no doubt that Mr. Reid was settled on the land which he occupied before the survey was made, and he (Mr. Ryan) thought it would be found, when the correspondence was forthcoming, that he had taken steps to signify to the office at Winnipeg his desire to get it registered.

MR. MACKENZIE said the correspondence was not yet finished and was not in a condition to be brought before the House, and he would ask the hon. gentleman to withdraw his motion.

MR. RYAN said that, after the assurances which he had received from the leader of the Government, he would not press his motion.

Motion (Mr. Ryan) *withdrawn*.

BANK OF LIVERPOOL BILL.—[BILL No. 22.]

(Mr. Forbes.)

SENATE AMENDMENTS CONCURRED IN.

Amendments made by Senate to said Bill, *read the first and second times, and agreed to.*

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

### After Recess.

BROCKVILLE & OTTAWA & CANADA CENTRAL RAILWAY AMALGAMATION BILL.—[BILL No. 9.]

(Mr. Galbraith)

THIRD READING.

MR. GALBRAITH moved:

"That the amendments made in Committee of the Whole to the Bill No. 9 to amend the Acts incorporating the Brockville and Ottawa Railway Company, and the Canada Central Railway Company, and to provide for the amalgamation of the said Companies, be now concurred in."

MR. McDOUGALL (South Renfrew) moved in amendment:

"That the said amendments be not now concurred in, but that the Bill be re-committed to a Committee of the Whole, with instructions that they have power to amend the same, by providing for the issue of stock in the amalgamated Companies to the Muni-

icipalities of Horton, Admaston, and the Village of Renfrew, in exchange for the Canada Central Railway stock, now held by them, at the fair value of the latter stock."

He said he had occasion to discuss at some length in Committee of the Whole an amendment similar to this, and, therefore, he would not detain the House with any lengthy explanation of it. It might be said, on first sight, that he was desirous of obtaining for the municipalities named an unfair preference, but when it was considered that almost the entire stock of the two companies, as they now existed, was held by the same individuals, there could be no injustice done by his motion. If there were different stockholders apart from these municipalities and the main stockholders who held a larger portion of the stock, then, on the face of it, it would be unfair that these municipalities should have what would appear to be an unjust preference. He might be referred to what occurred in the Railway Committee on this subject, and told that what had been carried there, after due deliberation, ought to be endorsed here; but for the purpose of assisting the promoter to bring the Bill before the House, he waived his objection before the Railway Committee, with the understanding, he might almost say, not of the promoter, but with the legal gentleman who took charge of the Bill, that they should fully discuss before the House the claims he set forth for these municipalities to have their stock issued under the amalgamated companies at its par value. Now, although it was agreed that railway companies had the right to come before the House for legislation, they must all admit that, if an error was made, the railway companies themselves were the least likely to suffer under such legislation. And, if a railway company, represented by a legal gentleman, neglected to put before this House information which would warrant them in taking what appeared on the surface to be the rights of these municipalities—rights which they properly possessed—if they failed to give the House that information, he thought they could not blame them for attempting to prevent the com-

MR. McDUGALL.

panies from getting such legislation as, under other circumstances, they might fairly be entitled to. He hoped the House, in voting upon this question, would not forget that nearly all the stock was held by the two companies, although, of course, there was a small proportion of stock held by others, as well as by those municipalities, and he saw no reason why they should be treated differently, because he thought it was very likely that some attempt might be made to interfere with the rights of those stockholders, just as much as the rights of the municipalities mentioned. But if they recollected that almost all the stock was held by those two companies, and it made no difference to them what became of their stock, as long as they reduced the rest of their stock, they must conclude it was just and proper in issuing amalgamated stock, that no reduction should be made. There should be no attempt made to prove that the municipalities holding stock in the Canada Central Railway had not the same rights as all other persons holding Canada Central Railway stock, no matter whether those municipalities made a good or a bad bargain at the time they made their purchase; they had the stock now, and were entitled to everything that would flow from it. He had full confidence in leaving this matter in the hands of the House, and expected from them a fair consideration of the merits of the case before them.

MR. JONES (South Leeds) said he thought the motion that had been made was a very just one; but there were other parties in the same position as those municipalities, who had not been treated in a fair and just manner. He thought the legislation coming before the House this Session was most extraordinary legislation, and particularly this Bill, which he thought was most unjust to many stockholders and many original bondholders. This was, as far as he could make out, the object of the Bill, for it would take a Philadelphia lawyer to make it out. He did not think it should be placed before the House until it had been reprinted; he could not make head or tail of it. He would, therefore, content



himself with stating the case with regard to these parties. The Brockville and Ottawa Railway Company were obliged, by an Act of the Ontario Legislature, passed in 1868, to take 25c. on the dollar for their original bonds. Now they come to the Dominion Parliament asking that the Brockville and Ottawa Railway should be amalgamated with the Canada Central Railway, with power to issue \$6,500 per mile, and certain powers to mortgage under certain deeds, which would give them the power to write off *in toto* the original stock taken at 25c. on the dollar by the original bondholders. But what further did they ask? They had received about a million of dollars from these municipalities and from Brockville, and about 350,000 acres of public land, and now they asked to be amalgamated. He did not think such resolution was just on the part of this House. He would mention also that this Bill should not pass to its third reading until it had been reprinted. In its present state no one who did not belong to the legal profession could possibly understand it, and perhaps not one out of fifty belonging to the profession.

MR. LAFLAMME said the hon. member for Leeds was quite in error if he believed there was any alteration whatever made relative to the position of the bondholders or stockholders. The only feature to which the hon. member for South Renfrew (Mr. McDougall) objected was this: He claimed that the municipalities in which he was interested, and which held original stock to the amount of \$48,000 in the Canada Central Railway, should be affected by no reduction of the original par value of the stock as made by this arrangement entered into by the two companies. This was the only objection the hon. gentleman offered to the arrangement, and he (Mr. Laflamme) could not see where the objection lay. As far as the remarks of the hon. member for South Leeds (Mr. Jones) went, he might say there was nothing in the arrangement that touched the position of the respective creditors of the company; nothing could be done that affected their rights. All the guarantees they possessed re-

mained as they were, with the additional guarantees accruing from the transfer of the one company to the other. It certainly could not entail any loss whatever to them. With respect to the objection of his hon. friend from South Renfrew to the reduction of the stock, this was an arrangement made by the two companies; they had united their respective assets, and they declared that, after a reduction had been effected on the stock of the Brockville and Ottawa Railway, then the company was obliged to accept a proportionate reduction of the respective values of the two railways. The interest upon the amalgamation of the two companies would be paid to the stockholders according to this valuation of the stock; consequently, he could not see the objection, or the reason of the objection, of the hon. member for South Leeds. If the stock was worth anything, the interest or dividend would be paid proportionately. As far as interfering with any of the rights of any of the creditors was concerned, he could positively assure the hon. member for South Leeds that there was not a word in any of the provisions of this Bill which could in any way affect or concern them. On the contrary, it was stated that before the company entered into any new engagements, resulting from the authorization which they claimed under this Bill, before assuming any obligation whatever, no such obligation could affect any particle of the property of the railway before the actual creditors, bondholders, or others, were paid absolutely and completely. It would be only after the actual existing creditors were satisfied in full, that the amalgamated company would be entitled to grant or give bonds to affect the railway after amalgamation.

MR. HAGGART said there could be no possible objection to the Bill. It proposed simply the amalgamation of two roads into one concern for the purpose of managing it under a Board of Directors. But there was a good deal in the amendment moved by the hon. member for South Renfrew, when one came to consider the position of these two roads proposed to be amal-

gamated, the Canada Central and the Brockville and Ottawa Railway. Nineteen-twentieths of the stock and bonds of each of these roads were owned by one individual. The hon. the Minister of Justice, in making his statement, said that the assets of the two companies had been arranged between the two by a mutual agreement which came here to be ratified by Parliament, and that an equal adjustment had been found on which to base the proposed Act of Parliament. That was the very principle to which the hon. member for South Renfrew objected. The hon. member said he had no means of judging whether an equitable arrangement had been prepared between the two parties. No schedule or statement of arrangement had been shown before the Committee on Railways, Canals and Telegraphs, upon which that was founded. What the hon. member had said was, that this legislation proposed to lessen the position which the municipalities hitherto had held in this concern, on grounds which he had no means of finding were correct or not. He (Mr. Haggart) held that the principle urged by his hon. friend from South Renfrew was a correct one, that, when a public company came here for legislation of this kind, it should be prepared to show the schedule upon which such arrangement was made, and that schedule should be subject to the criticism of the stockholders. These gentlemen had not furnished a schedule, and there was no means of arriving at a conclusion as to whether the arrangement was correct or not. The argument used by the hon. the Minister of Justice was, that the Canada Central Railway Company and the Brockville and Ottawa Railway Company, would each take care of its interests. But when nineteen-twentieths of the stock in each company was owned by one individual, there could be no difficulty on the score of conflicting interests. The other objection taken by his hon. friend from South Leeds was, that the bondholders had not been properly looked after in this Bill. The original bondholders had been forced by an Act of the Ontario Legislature to accept just such legislation as was proposed here, supposed to have the consent of the bond-

Mr. HAGGART.

holders or the parties interested, to reduce their bonds 25 per cent. What a farce it was to ask the consent of three-fourths of the stockholders. Here was a man who owned nineteen-twentieths of the stock, and all that was necessary was to obtain his consent and to wipe out the remaining stockholders altogether. It did not even require a majority of the stockholders interested. These parties who originally owned the mortgage bonds on this road were compelled by an Act of the Ontario Legislature to take stock in the road to the extent of 25c. on the dollar. Here, now, was a proposition by which \$20,000 of bonds might be issued per mile and placed on the two roads, which might, at any time, exercise the powers given them under this Act, extraordinary powers, powers which were generally taken in a railway charter, and shut out these stockholders. The proposition of his hon. friend was that the people who really built this road were the municipalities through which it passed; they advanced \$800,000 from the counties which he represented, and \$300,000 from Brockville and Elizabethtown; while the parties who had advanced a lot of iron for the road and had received secured bonds in return, had, by continually working for legislation of this kind, eventually legislated the municipalities out of any interest in the road whatever. They made an arrangement by which the debt of the municipalities was assured by the company, which lost to the municipalities all their claim for surplus money of the Province which was to be divided among the different municipalities. It was right that this Legislature should see that the municipalities which originally built that road should be fully protected. The bondholders should not be placed in a position of being deprived altogether of their security, of which already 25c. in the dollar had been legislated away by the extraordinary powers conferred under this Act.

Mr. GALBRAITH said, with respect to the position in which the companies had been in the past, and the one in which they wished to be placed now,

he did not think anything would be gained by a long discussion. By the Act of the Ontario Legislature, passed in 1868, a large reduction was made in the securities on the Brockville & Ottawa Railway Company. Those parties who had been spoken of as holding a large portion of bonds and stock in the company, had advanced a great deal of iron, and taken bonds of the company as security. They found out, ultimately, when these bonds and the interest accruing on them made an indebtedness of some \$600,000, that it would be impossible for the road to pay the interest on that indebtedness, or, at any time, relieve itself of any portion of the bonds. These parties came and asked that these bonds be largely reduced, and converted into ordinary stock of the company, bearing no interest, knowing there was no other way in which the road could be saved from insolvency. This Bill did not intend to interfere with the present proposition of the company in the least. The amendment which the hon. member for South Leeds intended to move, would give these bonds their original position as bonds of the company bearing interest, placing the company back in the insolvent position from which it was relieved in 1868. With respect to the charges made against these parties who held securities of the Company, the people of Canada ought, rather, to sympathise with them, and relieve to the utmost of their power those men who had suffered severe loss from advancing capital to build our railroads. Ultimately, taking advantage of the Act under which they had constructed that road, they were enabled by an action in the Court in Chancery to claim a certain amount of land for the building of the road. They made an arrangement with the company at that time, by which the indebtedness of the municipalities to the Ontario Government was cancelled, which debt would, undoubtedly, have had to be paid, the only question being whether it could have been paid or not. However, it was finally cancelled, and there was no reason now to find fault with the action. He (Mr. Galbraith) had a great deal of experience in the management of that institution for a

number of years before it obtained that relief. Nothing could have happened more in the interests of the municipalities, than to be altogether relieved of their connection with the railway at that time. With respect to the motion now before the House, he thought it very unfair to ask that the issue of stock to parties holding 425 shares in the road should retain its par value, while other parties who had really advanced a good deal of capital by which the road had been built, had agreed to reduce their stock. These parties held some 12,000 shares, as against 425 shares. It would not injure the municipalities in the least when that reduction was made *pro rata*; should there, at any time, be a dividend, it would be simply on the reduced shares. One of the principal objections of the hon. member for Renfrew was that the municipalities were placed in an unfair position with respect to claims on these railways. The hon. member for North Leeds wanted the stock of the Brockville and Ottawa Railway Company to be made very much better than it now was, by converting it into ordinary bonds of the Company. Consequently, there existed a large issue between them. The House would, at once, see the justice and propriety of retaining the Bill as it now stood before the House, without allowing any of those amendments to take place.

Mr. WHITE (North Renfrew) said the objection of the hon. member for South Renfrew was, that certain municipalities in his county had aided in the construction of a portion of the Canada Central, and that their position should remain as it was at present. The hon. gentleman objected, and he (Mr. White) thought the objection a valid one, that the stock be reduced below its present value. He (Mr. White) thought that was fair and reasonable, and did not see why the promoter of the Bill should object to it. It might be quite true, as the hon. member for North Lanark had stated, that the municipalities of Lanark, Renfrew, and Brockville, and Elizabethtown, had been relieved of their indebtedness to the Ontario Government, in respect to the Municipal

Loan Fund. But the hon. gentleman had forgotten that in the arrangement which was made for the wiping out of that Municipal Loan Fund indebtedness, a large sum of money had been distributed to those municipalities which had not become indebted to the Municipal Loan Fund. The amount which would have been paid to the municipalities of Lanark, Renfrew, Brockville and Elizabethtown, was forfeited on account of the aid they had rendered those railways. He did not propose to discuss this matter at great length. The mover of the amendment had, he thought, very fairly stated the position in which the municipalities would be placed by the Bill now proposed by the hon. member for North Lanark, and he thought there was no injustice whatever in asking that these municipalities retain their present position.

Amendment (Mr. McDougall, South Renfrew), *negatived* on the following division:—

YEAS:

Messieurs

Baby,	Lanthier,
Barthe,	McDonald (Cape Breton),
Benoit,	McDougall (Renfrew),
Blanchet,	McKay (Colchester),
Bolduc,	Macmillan,
Bourbeau,	McCallum,
Bowell,	McQuade,
Casey,	Malouin,
Cimou,	Masson,
Costigan,	Methot,
Desjardins,	Mitchell,
Dewdney,	Monteith,
Dugas,	Montplaisir,
Farrow,	Quimet,
Ferguson,	Palmer,
Flesher,	Pinsonneault,
Fraser,	Platt,
Gibbs (Ontario North),	Robinson,
Gibbs (Ontario South),	Rouleau,
Gill,	Ryan,
Haggart,	Schultz,
Harwood,	Wallace (S. Norfolk),
Hurteau,	White (Hastings),
Jones (Leeds),	White (Renfrew)—50.
Kirkpatrick,	
Langevin,	

NAYS:

Messieurs

Appleby,	Hall,
Archibald,	Higinbotham,
Bain,	Holton,
Béchar,	Horton,
Bernier,	Huntington,
Bertram,	Irving,
Biggar,	Jetté,
Blackburn,	Jones (Halifax),
Blain,	Killam,
Borden,	Kirk,

MR. WHITE.

Borron,	Laflamme,
Bourassa,	Lajoie,
Bowman,	Landerkin,
Boyer,	Langlois,
Brouse,	Laurier,
Brown,	Macdonald (Cornwall),
Buell,	Macdonald (Centre Toronto),
Bunster,	MacKay (Cape Breton),
Burk,	Mackenzie,
Burpee (St. John),	McCrane,
Burpee (Sunbury),	McGregor,
Carmichael,	McIntyre,
Cartwright,	McNab,
Casgrain,	Metcalfe,
Charlton,	Mills,
Cheval,	Norris,
Christie,	Oliver,
Church,	Paterson,
Cockburn,	Perry,
Coffin,	Pettes,
Cook,	Pickard,
Coupal,	Ray,
Davies,	Robillard,
Dawson,	Ross (East Durham),
Delorme,	Ross (Prince Edward),
De St. Georges,	Rymal,
Devlin,	Scatcherd,
Dymond,	Scriver,
Fiset,	Shibley,
Fleming,	Short,
Forbes,	Sinclair,
Fréchette,	Skinner,
Galbraith,	Smith (Peel),
Geoffrion,	Smith (Selkirk),
Gibson,	Snider,
Gillies,	Taschereau,
Gillmor,	Thompson (Haldimand),
Goudge,	Trow,
Greenway,	Wallace (Albert),
Guthrie,	Young—101.
Hagar,	

MR. PALMER moved in amendment.

"That the report be not now received, but that it be referred back to Committee of the Whole, with instructions to amend the same by striking out clause 13 of the Bill."

He said that under that clause the amalgamated company could make contracts for the building of a considerable length of railway, and yet, under that section of the Bill, part of the company's property would not be answerable for the liability so created. Such legislation would be disastrous to the welfare of the country, and he protested against its adoption.

MR. LAFLAMME said the only principle that was involved in this section was, that the company might contract for the building of the extension of the western section, without the eastern section becoming liable for the debts thus incurred. The clause added nothing, and involved no new principle. There could be no reasonable objection raised to it, for there

was no violation of any sound principle of legislation or of equity.

Amendment *negatived* on a division.

Amendments *read the first and second times and agreed to.*

MR. GALBRAITH moved :

‘ That the Bill be now read the third time.’

MR. JONES (South Leeds) moved in amendment :

‘ That the Bill be not now read a third time, but that it be re-committed to a Committee of the Whole, with instructions that they have power to add to clause 9, the following :—

‘ That the holders of stock in the Brockville & Ottawa Railway Company representing original ordinary bonds with the overdue coupons of said Railway Company, and converted by clause 3 of the Act chapter 44, 31st Victoria, of the Province of Ontario, entitled: ‘ An Act for the conversion of the ordinary bonds and old stock of the Brockville & Ottawa Railway Company into reduced new stock, and for other purposes,’ into the new paid-up stock in the capital of said Railway Company, at the rate of twenty-five cents on the dollar, shall be placed in the position of ordinary original bondholders by the transfer of bonds out of the twenty thousand dollars issued per mile now by this Act to be made, to the extent of the stock now held by them, and which was taken for original ordinary bonds at twenty-five cents on the dollar, under and by virtue of the before mentioned Act, 31st Victoria, chapter 44, of the Province of Ontario.’

He said the Bill would have the effect of creating a very great monopoly through this section of the country. This was not a large company spread over England or the whole of Canada and the United States, with stockholders at many points, but it consisted of a single firm in England which had supplied some iron for the road. There was no reservation in the Bill as to which should be charged for freight or passengers. The measure would be one which would do great injustice to the people of this section of country, and that would be found by experience.

Amendment *negatived* on a division.

Amendments *read the first and second time and agreed to.*

Bill *read the third time and passed.*

LA SOCIETE DE CONSTRUCTION DU  
COMTE D'HOCHELAGA BILL.

[BILL No. 48.]

(Mr. Jetté.)

THIRD READING.

House *resolved* itself into Committee on said Bill.

Bill *ordered* to be reported.

House *resumed.*

Bill *reported.*

Bill *read the third time and passed.*

RELIEF OF HUGH HUNTER BILL.

[BILL No. 58.]

(Mr. McCarthy.)

THIRD READING.

House *resolved* itself into Committee on said Bill.

House *resumed.*

Bill *reported.*

MR. MCCARTHY moved the third reading of the Bill.

Motion *agreed to* on the following division:—

YEAS :

Messieurs

Archibald,	Little,
Bain,	Macdonald (Centre
Bertram,	Toronto),
Biggar,	Macdougall (East
Blain,	Elgin),
Borden,	McDougall (Renfrew
Borron,	MacKay (Cape Bre-
Bowell,	ton),
Bowman,	McKay (Colchester)
Brouse,	Maekenzie,
Buell,	Macmillan,
Burk,	McCallum,
Burpee (St. John),	McCraney,
Campbell,	McGregor,
Carmichael,	McNab,
Charlton,	Metcalfe,
Christie,	Mills,
Church,	Monteith,
Cockburn,	Norris.
Coffin,	Oliver,
Cook,	Palmer,
Davies,	Paterson,
Dawson,	Pettes,
DeCosmos,	Pickard,
Dymond,	Platt,
Farrow,	Plumb,
Ferris,	Ray,
Fleming,	Robinson,
Flesher,	Rochester,
Fraser,	Ross (East Durham),
Gibbs (Ontario North),	Ross (West Middlesex)
Gibbs (Ontario South),	Ross (Prince Edward)
Gillies,	Rymal,
Gillmor,	Scatcherd,
Goudge,	Schultz,

Greenway,  
Guthrie,  
Hagar,  
Hall,  
Higinbotham,  
Horton,  
Kirk,  
Kirkpatrick,  
Landerkin,  
Shibley,  
Sinclair,  
Skinner,  
Snider,  
Thompson (Haldimand)  
Wallace (Albert),  
White (East Hast-  
ings).—84.

## NAYS :

## Messieurs

Baby,	Jones (Halifax),
Barthe,	Lafamme,
Béchar, d,	Lajoie,
Benoit,	Langevin,
Bernier,	Latglois,
Blanchet,	Lanther,
Bolduc,	Laurier,
Bourassa,	Macdonald (Cornwall)
Bourbeau,	McDonald (Cape
Boyer,	Breton),
Brown,	McDougall (Three
Casgrain,	Rivers),
Cheval,	McIntyre,
Cimon,	McIsaac,
Costigan,	Malouin,
Coupal,	Masson,
Delorme,	Méthot,
Desjardins,	Montplaisir,
De St. Georges,	Ouimet,
Devlin,	Perry,
Dugas,	Pinsonneault,
Fiset,	Pope (Compton),
Forbes,	Robillard,
Fréchette	Robitaille
Geoffrion,	Rouleau,
Gibson,	Roy,
Gill,	Short,
Harwood,	Smith (Peel)
Holton,	St. Jean
Hurteau,	Taschereau,
Irving,	Wade.—61.
Jetté,	

Bill read the third time, and passed on the same division.

RELIEF OF GEORGE FROTHINGHAM  
JOHNSTON BILL.—[Bill No. 59.]

(Mr. Fraser.)

## THIRD READING.

House resolved itself into Committee on said Bill.

Bill ordered to be reported, with an amendment.

House resumed.

Bill reported.

Amendment read the first and second times and concurred in.

MR. FRASER moved the third reading of the Bill.

Motion agreed to on a division.

MR. MCCARTHY.

## PRIVATE BILLS.

## THIRD READINGS.

The following Bill was considered in Committee of the Whole, reported, read the third time and passed :

Bill (No. 19) Respecting the Port Whitby Harbour Company.—(Mr. Burk.)

MONTREAL AND CITY OF OTTAWA  
JUNCTION RAILWAY BILL.

[BILL No. 57.]

(Mr. McNab.)

House resolved itself into Committee on the said Bill.

(In the Committee.)

MR. PLUMB said that the hon. member who had charge of the Bill (Mr. McNab) had not produced a list of the shareholders of the company, which had been requested in Committee. He thought that the request was reasonable.

MR. LANGEVIN said he had wished to have this brought before the Committee, but he had ascertained that the Bill had been carefully considered by the other House, and that a large majority of the Committee there was satisfied with the Bill as it stood. Under the circumstances, therefore, he would not press the matter, but would leave to the majority the responsibility of passing this measure.

MR. PLUMB said that, if there were sound and sufficient reasons why this list should not be produced, of course he was unable to press the point. He merely wanted to call the attention of the House to the fact. There must be some strong reason for keeping the names of the shareholders back. Those who objected to this reasonable request would, of course, be prepared to assume the responsibility, and no further opposition to the Bill would be offered by him. He presumed that the Government was fully aware of all the circumstances, and that it assumed all the consequent responsibility.

MR. OLIVER said the promoter of the Bill was only asked for the stock list the previous day before the Committee, and it was impossible for him to get it ready in so short a time. He might state, also, that it was not usual,

so far as he knew, to ask for a stock list when the charter was merely extended and amended.

MR. PLUMB said that, on a previous occasion when a Bill of this kind was before the House, the charter was produced and scrutinized by the members of the Committee. If the hon. member for Glengarry would assure them that the share list was so extensive that the names could not be copied in three days, the explanation made by the hon. member for North Oxford would be accepted. Until such an answer was given, he (Mr. Plumb) must say the omission was a very grave one, and formed a precedent which he thought his friends on the opposite side would be the first to violate when another Bill of a similar character was brought before the House. He could not understand why, when legislation of this sort was asked for, the House should not be put in possession of all the facts connected with the organization of a road such as this.

MR. WHITE (East Hastings) said when the Bill was before the Committee there was an understanding that the stockholders' names should be submitted. He had no objection to the time for the completion of the road being extended to six years longer, but he was of opinion that eight years was long enough to build eighty-four miles of road. Those persons who, according to agreement had paid bonuses towards its completion, had not yet got anything in return; but, as the promoters of the Bill said they really required six years longer in which to accomplish the work: he would not oppose their wishes, but would withdraw any objection he might have made.

MR. COOK said the hon. member for East Hastings had alleged that, so long as the present Government remained in power, there would be a depression. He thought the hon. gentleman had better withdraw his objection. The Government would have another five years' tenure of office, and, according to the hon. gentleman, nothing would be done towards the completion of the road during that period. The hon. gentleman seemed to be the champion of those municipalities which had

already paid their money, but he (Mr. Cook) would ask him if he thought the construction of the road would be advanced without such legislation as this.

MR. WHITE said he had withdrawn his objection. He had not, during the present Session, either in Parliament or out of it, said anything about the Government being the cause of the depression which existed. One thing he was certain of, and that was: that the hon. gentleman would not get back again by spending \$28,000 as he had done before. The less, therefore, the hon. gentleman said about the matter, the better. Any gentleman who had to buy his way into Parliament should not be the first to get up in this way; it ill became him to say one word about the matter. He (Mr. White) said not one word which might lead any one to call him the champion of those municipalities, but he did think when parties paid money as a free gift towards the construction of the road, and still continued to pay taxes, as well as the interest, on the money already given, they should get the road as soon as possible. They did not expect any stock, nor did they seek their money back; all they wanted was the use of the road. Fourteen years was, certainly, a long time to construct 84 miles of road, and, if the present Government could not push things on quicker than that, it would be a long time before the Canadian Pacific Railway was built. He would just say, in conclusion, that he thought the hon. member for North Simcoe would have to do all he possible could before he was through with his little game.

MR. COOK said the hon. member for North Simcoe had played that game three times, and did not receive any of the Canadian Pacific Railway money towards his expenditure. He would like to ask the hon. member for Hastings how much of that Canadian Pacific Railway fund he had had to secure his election. He thought it ill became an hon. gentleman to mention anything about the expenditure of money in this way, after the legislation made in the House on former occasions, especially when he pointed out that the expenditure

of the member for North Simcoe was not that candidate's own money, but came from Sir Hugh Allan's fund.

MR. BLANCHET: I would like to know what relation the question of the Simcoe election has to the matter before the House?

MR. BOWELL said he was not present at the Committee meeting, neither did he know what reasons were given why the list of stockholders, which was promised had not been laid before the House. If that promise was made, the hon. member for Glengarry should certainly have vouchsafed some explanation as to why he had not kept that promise.

MR. HOLTON said the hon. member for Charlevoix asked the hon. member for Glengarry, in Committee, to bring down the share list, but no understanding to that effect was arrived at. The Committee did not think it necessary to enjoin this, nor had he (Mr. Holton) in the course of his experience, extending over a considerable number of years, known such a demand to be made in the case of small roads. In the case of large roads, the Canada Southern for instance, information of that kind was given to the House, but there were no special reasons for that course to be followed in the present case.

MR. BOWELL said this was one of that peculiar class of roads, which, so far as the stockholders were concerned, was more nominal than real. It was a scheme probably for the purpose of securing a road with Municipal and Governmental aid and there could not be a list of shareholders of that *bona fide* character which, generally speaking, should exist in such undertakings. He did not ask that the time should be reduced, if the promoters of the Bill desired it to be extended, for the completion of the road, nor did he advocate the production of the share list. He wished merely to say in defence of his hon. friend from East Hastings that the hon. member for North Simcoe was evidently not acquainted with the facts connected with that gentleman's election, or he would not have placed himself in the position he had. It might, perhaps, be information for

MR. COOK.

him to know that his (Mr. Bowell's) hon. friend was opposed very strenuously by the Government of the day. He could not, therefore, have used public money improperly, because the Government were not at all likely to supply him with funds either from Sir Hugh Allan or any one else to assist him in his election; in fact, they did what they could to keep him out of the House. He made this explanation with the view of showing to a millionaire, who could squander \$20,000 or \$30,000 to gain a seat, that he could not attack another hon. gentleman for a supposed expenditure of money received from a supposed source—a source which comprised his most bitter and vindictive enemies on the occasion of his election.

MR. PLUMB said he did not agree with the hon. member for Chateauguay, that this Bill was of so simple a character as he would lead the House to suppose. He believed it would introduce a radical change, for it permitted a certain company to issue bonds and preferential stock. It seemed to him very strange that his hon. friend who knew how much depended upon legislation of this kind, should say that the Bill was of a simple character. He could not understand why the list of shareholders should not be insisted upon; there must be some weighty reason for withholding it. At this late period of the Session he had every desire to accelerate the business of the House and he did not take the objection to the Bill expressed by his hon. friend from East Hastings, because he was not acquainted with the position of the municipalities in reference thereto. In constructing a road of this sort, he thought it desirable that the promoters should have the extension they sought for. Their request was a very natural one, but he could not see why the hon. member for Glengarry should preserve such a mysterious silence. There was no reason why a list of the shareholders should not be submitted. If there were no shareholders, it would be easy for the hon. gentleman to say so; and, if on the other hand, the names were so numerous as to require a considerable time to allow of



their being copied, that would readily be granted.

MR. ROCHESTER did not think it would make any material difference whether the list was submitted or not. The object of the Bill was simply to place the company in a position to complete the road, and in that way the municipalities referred to would be benefitted. There had been for a number of years a depression which was experienced, not only by individuals, but by municipalities. The Bill then would have the effect of enabling them to complete this road as soon as possible.

MR. PLUMB said the House merely wanted to know who composed the company. They were not told by the promoter of the Bill, and so were legislating entirely in the dark. The only thing they knew was that there was a charter on the books, and that a certain amount of work had been done. Why, then, did not the hon. member for Glengarry, instead of preserving this sphinx-like and mysterious silence, rise and give the House the information desired. The request was a very reasonable one, and to refuse it was to treat the House with want of respect.

MR. ROCHESTER said that, when a Bill of this description had passed through the Railway Committee and the Senate as well, he did not think there need be so much cavilling about it.

Bill ordered to be reported.

House resumed.

Bill reported.

Bill read the third time and passed.

#### BETTER TRANSLATION OF THE BRITISH NORTH AMERICA ACT.

(Mr. Fréchet.)

##### COMMITTEE APPOINTED.

Order for resuming adjourned debate on Mr. Fréchet's motion, that a Special Committee be appointed to consider the question of a better translation in French of "The British North America Act, 1867;" said Committee to be composed of Messrs. Fréchet, Béchar, Jetté, Taschereau, Baby, Mousseau and Casey, read.

MR. MITCHELL asked for explanations with respect to the motion.

MR. FRÉCHETTE said the matter was discussed at some length the other day, and he then gave his reasons in support of the motion.

MR. LANGEVIN said he was absent when the motion was discussed, and if no reasons were now given for the motion he must vote against it.

MR. FRÉCHETTE said that, if he was not mistaken, the whole of his remarks had been reported in the *Hansard*.

MR. BLANCHET said he thought the discussion had closed the other day, when the hon. member for South Bruce (Mr. Blake) stated that very likely in a short time a Commission would be appointed by the Government for the codification of our laws, and then it would be competent for the Government to appoint some gentlemen to see that the translation of the laws was properly made.

MR. KIRKPATRICK said he had the pleasure of hearing the speech of the mover of the resolution, and, therefore, he was not in the same position as several other hon. members. But he must say that he did not hear the hon. member for Lévis give any satisfactory reasons why they should appoint a Select Committee to revise the translation of the British North America Act. They knew that the appointment of a Select Committee involved more or less of expense. They had had several Select Committees appointed during this Parliament, and, according to the return brought down the other day, these Committees had cost the country a good round sum of money. Perhaps this would not cost so much, but, nevertheless, it would cost something; and the question was, would the result of this Committee justify any expense being incurred? Would the result of getting this Act translated by political partisans—because it would be nothing more nor less,—justify any expense at all? We had French translators, and if they could not adequately perform their duties, it was the duty of the Government to dismiss them and get others; it should not be left to some political partizan of the

House to air their knowledge of that beautiful language, and to translate this important Act of Parliament. But it must be remembered that this was only to please the fancy of hon. gentlemen opposite, because, as was said the other night by the hon. member for South Bruce, if the translation of this Act of Parliament altered the word Dominion to *Puissance*, or the old French word *Dominion* was retained, it would have no effect upon the Act, because it was an English Act of Parliament, and an English Statute. And, therefore, whatever translation hon. gentlemen opposite or their Committee determined upon, would have no effect upon the Act, and every hon. gentleman on that Committee would have the opportunity of translating the Act as it pleased him.

MR. MACKENZIE: Hear, hear.

MR. KIRKPATRICK said the hon. gentleman was, he knew, competent to do a great many things; but he (Mr. Kirkpatrick) doubted his ability to perform that work. He certainly must dissent from the motion, as he failed to see how any practical good could flow from it. He thought that a proper translation could be made when the laws of the Dominion were consolidated and codified.

MR. MITCHELL asked if the Government supported this motion; and, if so, why they did not take it in hand themselves, instead of shirking their responsibility by referring it to a Committee?

Question proposed and motion agreed to on the following division:

## YEAS:

## Messieurs

Archibald,	Jones (Halifax),
Béchar, d,	Killam,
Benoit,	Kirk,
Bernier,	Laflamme,
Borden,	Lajoie,
Borron,	Landerkin,
Bourassa,	Laurier,
Brown,	Macdonald (Cornwall),
Buell,	Macdonald (Centre
Burpee (St John),	Toronto),
Carmichael,	Macdougall (East
Cartwright,	Elgin),
Casgrain,	McDougall (South Ren-
Charlton,	frew),
Cheval,	MacKay (Cape Breton),
Christie,	Mackenzie,
Church,	McCraney,
Cockburn,	McGregor,

MR. KIRKPATRICK.

Cook,	McNab,
Davies,	Metcalfe,
Delorme,	Méhot,
De. St. Georges,	Mills,
Devlin,	Montplaisir,
Dymond,	Norris,
Fiset,	Oliver,
Fleming,	Ouimet,
Forbes,	Paterson,
Fréchette,	Picard,
Galbraith,	Pouliot,
Geoffrion,	Richard,
Gibson,	Ross (Durham),
Gillies,	Ross (Middlesex),
Gillmor,	Ross (Prince Edward),
Goudge,	Rouleau,
Guthrie,	Rymal,
Hall,	Scatcherd,
Higinbotham,	Skinner,
Holton,	Smith (Peel),
Horton,	Snider,
Huntington,	Taschereau,
Irving,	Trow.—80.
Jetté,	

## NAYS:

## Messieurs

Appleby,	Lanthier,
Bertram,	Little,
Biggar,	Macdonald (Kingston),
Bianchet,	McDonald (Cape
Bolduc,	Breton),
Bourbeau,	McKay (Colchester),
Bowell,	Macmillan,
Brooks,	McCallum,
Burk,	McQuade,
Burpee (Sunbury),	Malouin,
Caron,	Masson,
Cimon,	Mitchell,
Costigan,	Monteith,
Coupal,	Orton,
Currier,	Pettes,
Cuthbert,	Pinsonneault,
Daoust,	Platt,
Desjardins,	Plumb,
Dugas,	Pope (Compton),
Farrow,	Robillard,
Ferguson,	Robitaille,
Ferris,	Rochester,
Gibbs (Ontario North),	Roy,
Gibbs (Ontario South),	Ryan,
Gill,	Schultz,
Haddow,	Scriven,
Hagar,	Sinclair,
Harwood,	Wade,
Hurteau,	Wallace (Albert),
Jones (Leeds),	Wallace (Norfolk),
Kirkpatrick,	White (East Hastings),
Langevin,	White (Renfrew).—81.

## WINTER NAVIGATION OF THE ST. LAWRENCE.

## ADJOURNED DEBATE.

Order for the consideration of the proposed motion of Mr. Fréchette—

“That in the opinion of this House it is desirable that the Government should take steps to test the possibility of navigating the St. Lawrence from Quebec to the ocean during the winter season.”

read.

MR. MACKENZIE said he admitted the very great importance of the subject of winter navigation and the desirability of ascertaining whether it was practicable, but he did not consider it would add to the importance of the subject or the means to secure its being carried out, to pass the present motion; and he would, therefore, request the hon. member, who had secured what he desired, a full discussion on the subject, to withdraw his motion.

MR. PERRY said the motion was one entitled to consideration. He thought the success of the *Northern Light*, in navigating the Straits of Northumberland during the winter season, had demonstrated the practicability of winter navigation of the St. Lawrence, which could be done with much greater facility than the navigation of the Straits, inasmuch as in the Straits the ice jammed between the Island and the mainland, owing to the passage being so narrow, while in the Gulf the ice kept drifting about. The principal trouble would be that a steamer fitted to navigate in the ice would not be suitable to cross the Atlantic. He was surprised the other evening to hear hon. members, especially the hon. member for Northumberland, pronouncing winter navigation a delusion and a snare, and condemning the *Northern Light* as a failure. It was a well-known fact that that steamer had proved of great benefit to the people of the Island. Up to 1867, they had no communication with the mainland for five or six months in the year. Since this steamer had been in operation, merchants had imported goods, during these months, from Halifax, St. John, Montreal, and elsewhere; the boat crossing three times a week, with the exception of a few days in February and March. The consequence was, merchants could import their goods when they pleased, and not have them lying on their shelves six months, losing interest, and be obliged to charge extra, on that account, in retailing them. In order to prove his statements, he had obtained from the Department of Marine and Fisheries a

statement showing the number of trips which the steamer had made since 19th December last, up to 7th March, which he would read. During that time, she had made twenty-five round trips between Georgetown and Pictou, and had carried 1,325 packages of freight, 349 passengers, and 361 mail bags. The steamer had exceeded his most sanguine expectations and had done what he did not expect any steamer could do, and the Government deserved praise, instead of blame, for its action, and for the money which they had well expended on this steamer. He hoped the Government would avail themselves of the experience of the *Northern Light*, and establish winter navigation of the St. Lawrence down, perhaps, as far as Newfoundland.

MR. FRÉCHETTE said he wished to answer some of the arguments used by those hon. members who had thought proper to oppose his motion. The hon. member for Northumberland had been kind enough to say the other day that he (Mr. Fréchette) had been talking of something he knew nothing about. The only reply he could make was, that he did not claim any personal experience or knowledge of most of the facts to which he had referred. He had based all his arguments on undeniable authorities, that was, on the testimony of men of undoubted competency. The hon. member could not have read the evidence adduced before the Committee; if he had, he would not have repeated here, at great loss of time, all the old arguments which have been so victoriously refuted by that evidence. Had the hon gentleman listened to his (Mr. Fréchette's) remarks the other day, he would not have been so severe, and have ridiculed the idea of shipping lumber, during the winter, from Quebec to England, an idea to which he (Mr. Fréchette) had not given utterance. He had talked about sawn timber, which was a quite different thing; if sawn timber or lumber could be shipped at any season of the year from Quebec to England, pine timber would be exported, sawn to dimensions, thus giving double employment to the saw mills. The hon. gentleman said,

What about the buoys? The buoys were not a very important matter during winter. He would refer the hon. gentleman to the evidence given on that subject by the witnesses to whom he had alluded. The buoys were not necessary during the winter, inasmuch as the shores, rocks and shoals were covered with border ice; and besides, there was always a band of floating ice on one side of the river, that was under lee of the passing vessel, which protected her from the danger of running ashore. The hon. gentleman had tried to be very offensive towards Mr. Sewell in characterizing him as a visionary. Mr. Sewell would not go so far as to compare the hon. member for Northumberland to a great conqueror. At the same time, he (Mr. Sewell) remembered well that Napoleon, although he did not represent Northumberland, called once the man who invented steamboats visionary. He would, at the same time, say, in reference to the remarks made by the hon. member for Terrebonne, with regard to the peculiar construction of steamboats proposed to be built, that the witnesses did not say that these steamboats ought to be constructed after a peculiar model, and that they could not be navigated elsewhere than in the River St. Lawrence. These steamboats ought to have a stronger stern, that was all. Moreover, he would refer the hon. gentleman to the evidence given by the most experienced, perhaps, of all the witnesses examined, who said that the Allan steamers, as now constructed, could run very easily during the winter months from Quebec to the Gulf and back. He based his opinion upon this fact: that these steamers, in the spring, encountered the heavy floating ice which ran down the St. Lawrence at that season, while, during the winter months, they would not be exposed to this, for they would encounter only the winter ice which formed every day. In answer to the remarks of the hon. member for Queen's County, which were very severe and unjust against the *Northern Light*, he would quote resolutions passed in the county meeting at Georgetown, which gave the best answer possible to the hon. member's charges. The resolutions were as follows:

**MR. FRÉCHETTE.**

"Pursuant to notice, a public county meeting was held in the Court House, Georgetown, on Tuesday afternoon, the 12th inst., M. McCormack, Esq., High Sheriff, presided, and R. Munro acting as Secretary.

"The Sheriff read the speeches of Messrs. McIntyre and Pope, made at Ottawa, respecting the *Northern Light*.

"Hon. Archibald J. Macdonald read and moved the following resolution:—

"Whereas, It appears by the published debates and proceedings in the Senate and House of Commons that efforts are being made to decry the performance of the steamboat *Northern Light* as a winter boat for the Gulf service, and that some of our representatives have spoken in terms condemnatory of the route now traversed by the said steamer between Pictou, in Nova Scotia, and Georgetown, Prince Edward Island, basing their opposition to the said line of communication on the occurrence of an accident, or error of judgment, which led to the detention of the boat for a short period of time in the Gulf—an error which, under due regulations, and profiting by experience, may never occur again."

"Resolved: That it is the opinion of this meeting that if an additional boat of the same power and capacity of the *Northern Light* were placed on the route between Pictou and Georgetown, the service as now performed proves conclusively that daily communication can be maintained between the mainland and the Province during the entire winter session."

He believed this result was a sufficient answer to the extraordinary speech of the hon. member for Queen's County, P.E.I., delivered the other day on this subject. The same hon. member had thought proper to characterize his remarks as a "heap of nonsense." And when called to order, the hon. gentleman said if he could not say it here, he would say it elsewhere. The opinions of the hon. gentleman were perfectly indifferent to him (Mr. Fréchette), and he would not pay the slightest attention to his attacks, whether made inside or outside of Parliament. As he believed, under present circumstances, his motion would not be carried, he begged leave to withdraw it.

Motion, with leave of the House, withdrawn.

MONTREAL CITY AND DISTRICT SAVINGS BANK.

ADJOURNED DEBATE.

Order for the further consideration of the proposed motion of Mr. Taschereau, for an Address praying His Excel-

lency the Governor-General, to apply the 9th sub-section of section 6, chap. 7, 34 Victoria, in order to obtain from the City and District Savings Bank of Montreal, and cause to be laid before this House, certain statements as to the affairs of the said Bank, *read*.

SIR JOHN A. MACDONALD said there seemed to be good reason why information should be furnished as to advances made by the bank on American, which were, of course, foreign securities. It was proper that Parliament should know whether such an institution had dabbled in foreign securities, and, if so, in what securities, as a savings bank had no right to do a speculative business. It was evident the hon. the Finance Minister was prepared to furnish only such information as could be obtained without applying to him, and refuse all other.

Mr. CARTWRIGHT moved in amendment:

"That the said motion be amended by striking out all the words after '1871,' in the first paragraph of the said motion; and also by striking out paragraphs 2, 7, 8, 9, 10, 11, 12 and 13, of the said motion."

Mr. TASCHEREAU said he could not object to the amendment, as his object in submitting the motion to the House had been secured. Nevertheless, he held that all the information asked for was required in the public interest, and should be known to the House. However, since the motion had been made, all the facts had been brought out and published in a leading paper in Montreal.

Mr. MITCHELL: In what paper?

Mr. TASCHEREAU: In the Montreal Gazette.

Amendment agreed to.

The motion, as amended, *agreed to*, and the said Address voted, and is as follows:

"Resolved, That an humble Address be presented to His Excellency the Governor-General, praying him to apply the 9th sub-section of Section 6, Chapter 7, 37 Victoria, in order to obtain from the City and District Savings Bank of Montreal, and cause to be laid before this House when so obtained.

1st. A statement showing the position at the period of its re-organization in 1871.

2nd. A statement showing how the Directors fixed at \$180,000 the surplus or poor Fund, and by what process they arrived at that figure, and if the said surplus was limited to that amount.

3rd. A statement showing how the capital stock was taken up, the names of shareholders, and if said stock was subscribed before or after the day and hour when the books should have been opened according to Law.

4th. The sums paid by the shareholders upon their subscription of stock since 1871, and date of re-organization.

5th. A statement showing which of the shareholders paid in cash; those that did not; and how they did pay; if by promissory notes, and if so, when discounted and whether retired at maturity.

6th. A statement of the dividends paid in each year since 1871, date of re-organization.

7th. A list of the present Directors and what amount of stock they respectively hold in the Bank.

8th. A list of the present shareholders, and what amount of stock they respectively hold in the Bank.

#### INSOLVENT ACT AMENDMENT BILL.

[BILL No. 24.]

(Mr. Bourassa.)

SECOND READING NEGATIVED.

Mr BOURASSA moved:—

"That the (Bill No. 24) To amend the Insolvent Act of 1875, and the several Acts in amendment thereof, be now read a second time."

He said he deemed it his duty to offer a few words of explanation as to the non-traders enumerated in the first section of the Bill, which was as follows:—

"In this Act the expression 'non-trader' means any farmer, grazier, common labourer, workman for hire, or other person who cannot be declared an Insolvent under the Act hereinafter cited."

The second section marked out and defined the distinction between traders and non-traders. And any person who was a non-trader, and who duly notified the assignee to that effect, was not bound to accept a composition. By the third section, the rights of non-traders were protected, and they were permitted to receive any dividends declared by the assignee, without being bound to sign the discharge of the insolvent. Subsequently, therefore, they might sue for and recover from the insolvent, if he at any time were able to pay the balance remaining

unpaid to any such non-trader. His intention in moving the second reading of this Bill was, to secure farmers, workingmen, and other non-traders, against the frauds which were so often committed, and which would continue to be committed so long as the Insolvent Law remained, as it now was, on our Statute-book. Many members of this House had manifested, on various occasions, their anxiety to afford just and sufficient protection to the agricultural and working classes, and they would, he felt convinced, afford him their unhesitating support on all occasions, and give him a large majority in the vote on the second reading of the Bill, and thus enable him to place it on our Statute books and make it the law of the land.

Question proposed and motion *negatived* on the following division:—

## YEAS :

## Messieurs

Baby,	Macdonald (Cornwall),
Barthe,	Macdonald (Kingston),
Béchar, d,	McDonald (Cape
Benoit,	Breton),
Bernier,	MacKay (Cape Breton),
Blanchet,	Macmillan,
Bolduc,	McCallum,
Bourassa,	Malouin,
Bourbeau,	Masson,
Bowell,	Méthot,
Bunster,	Mitchell,
Campbell,	Monteith,
Cheval,	Montplaisir,
Christie,	Orton,
Cimon,	Quimet,
Costigan,	Pinsonneault,
Coupal,	Platt,
Currier,	Plumb,
Cuthbert,	Pope (Compton),
Daoust,	Pouliot,
Desjardins,	Robitaille,
Dugas,	Rochester,
Farrow,	Rouleau,
Ferguson,	Roy,
Fiset,	Rymal,
Gibson,	Scatcherd,
Gill,	Short,
Greenway,	Stephenson,
Harwood,	Thompson (Cariboo),
Hurteau,	Wade,
Jones (South Leeds),	Wallace (S. Norfolk),
Kirkpatrick,	White (East Hastings),
Landerkin,	White (N. Renfrew),
Langevin,	Wright (Pontiac),—68.
Lanthier,	

## NAYS :

## Messieurs

Appleby,	Irving,
Archibald,	Jetté,
Bain,	Jones (Halifax),
Bertram,	Killam,
Bordon,	Kirk,
Borron,	Lafamme,

MR. BOURASSA.

Bowman,	Lajoie,
Boyer,	Laurier,
Brooks,	Macdonald (Centre
Brouse,	Toronto),
Buell,	Macdougall (East
Burpee (St. John)	Elgin),
Burpee (Sunbury),	McKay (Colchester),
Carmichael,	Mackenzie,
Cartwright,	McGregor,
Casgrain,	McIntyre,
Church,	Mclsaac,
Davies,	Metcalfe,
DeCosmos,	Mills,
Delorme,	Norris,
De St. Georges,	Paterson,
Devlin,	Perry,
Dymond,	Pettes,
Ferris,	Pickard,
Fleming,	Ray,
Forbes,	Richard,
Fraser,	Robillard,
Frechette,	Ross (East Durham),
Galbraith,	Ross (West Middlesex),
Geoffrion,	Scrivner,
Gibbs (North Ontario),	Skinner,
Gibbs (South Ontario),	Smith (Selkirk),
Gillmor,	Snider,
Guthrie,	Taschereau,
Haddow,	Thompson, (Haldi-
Higinbotham,	mand),
Holton,	Trow—72.
Huntington.	

## DRINKS BOTTLES BILL.—[Bill No. 25]

(Mr. Macdonald, Centre Toronto.)

## SECOND READING PROPOSED.

MR. MACDONALD (Centre Toronto), in moving the second reading of the Bill, said that it was simply intended to secure, by certain trade marks, the property owned by certain parties as was set forth in the Bill. It was of a very simple character.

SIR JOHN A. MACDONALD: Are not these trade-marks secured by the laws as they now stand. I think that they can now be registered.

MR. MITCHELL said he thought they had a right to an explanation of the Bill. If laws already existed in this regard, they should not repeat unnecessary legislation.

MR. OLIVER said he thought that the promoter of the Bill should give the information asked for. He would feel compelled to oppose it, because it prevented individuals who had purchased an article from selling it again. If he, or anyone, went into a drug or any other store, and bought a couple of dozen bottles of any description whatever, though they were stamped, these bottles became the property of the purchaser, when paid for, and

surely the latter ought to be allowed to sell the bottles for which they had paid. The only object of the Bill, he thought, was to extinguish the small concerns which conducted manufactures in this relation throughout the length and breadth of the country, and to concentrate the whole trade in large commercial centres among large firms; and for the reason that property, when paid for, belonged to the purchaser, he opposed the Bill.

MR. BOWELL said he thought that the Bill went further. It provided for a penalty in case a bottle was given away. If a person bought a bottle of soda water which had the maker's mark on it, and lent or gave it to any one, he would become subject to a penalty ranging from 50 cents to \$5. It seemed to be a strange principle to adopt, to say that a man should not dispose or give away his own property. He could understand the necessity of protecting a manufacturer in his business, and preventing the use of bottles with such manufacturer's trade-mark in the carrying on of the same business by another person, in order to prevent the imposition on the public of an article which was not manufactured by the person whose trade-mark was thus used, and he thought the law as it stood provided for a penalty in case this was done. But it seemed extraordinary to ask the House to affirm that if a person had a bottle worth 2½ cents, and lent it to a neighbour to put medicine in—of course he was now drawing an extreme case—and it had the trade-mark of a druggist on it, he should be subject to a penalty varying from 50 cents to \$5.

MR. OLIVER said he rose to a point of order. He thought that this Bill related to trade, and he believed it ought to be introduced by resolution instead of by Bill. The hon. gentleman, he thought, would have to commence *de novo*, and give notice of such resolution.

SIR JOHN A. MACDONALD said he thought that this point was well taken. The second clause of the Bill, which provided that if any man gave away a soda water bottle, he was liable to a penalty, was the most absurd provision in the world.

MR. PLUMB: I am surprised that the hon. gentleman should have introduced this Bill.

MR. MACDONALD: The hon. gentleman may be surprised as much as he pleases. I am merely promoting the Bill for political friends of the hon. gentleman.

SIR JOHN A. MACDONALD: For political purposes, doubtless.

MR. MACDONALD said he did not intend to withdraw the Bill. The House might object to it if it pleased. He thought that the Bill might be referred to the Committee on Banking and Commerce, which might approve of it, if the Committee thought proper to do so.

SIR JOHN A. MACDONALD: The Banking and Commerce Committee will settle the proposed question.

MR. MACDONALD said that the object of the Bill was clearly set forth in the second clause, which was as follows:

“It shall be unlawful for any person hereafter, without the written permission of the owner of the name or mark so filed, to fill with mineral water or any other beverage, any such bottles so marked or stamped; or when empty, to sell, dispose of, buy, give away or traffic in any such bottles so marked or stamped, with the names or mark so registered, or to give any such bottles away when empty—so as to wrong the rightful owner of the name or mark so registered. Any person so offending shall be liable to a penalty of fifty cents for each and every bottle so filled, bought, sold, given away, used or trafficked in, for the first offence, and a fine of five dollars for each and every bottle so filled, bought, sold, given away, used or trafficked in, for every subsequent offence, upon conviction on summary proceedings before any Justice of the Peace under the Acts respecting the duties of Justices of the Peace, out of sessions, in relation to summary convictions and orders.”

MR. SPEAKER said the objection was well taken, for it was laid down in Rule 41 of the House that:

“No Bill relating to Trade, or the alteration of the laws concerning Trade, is to be brought into this House, until the proposition shall have been first considered in a Committee of the Whole House, and agreed unto by the House.”

He must, therefore, rule the hon. gentleman out of order, and the Bill could not be proceeded with.

Order discharged.

## LIFE ASSURANCE POLICIES NON-FORFEITABLE BILL.—[BILL No. 33.]

(Mr. Trow.)

BILL WITHDRAWN.

Order for second reading read.

Mr. TROW said he moved the second reading of the Bill for the purpose of arriving at a proper understanding as between Insurance Companies and policy-holders, so that no technicality might deprive policy-holders, their heirs or assigns, from receiving the amount represented in policies. A considerable portion of the business of the insurance companies was carried on through agents in all parts of the country. These agents, of course, tried to secure as many premiums as possible, and their practice, generally, was to submit printed forms containing certain questions to be answered. In very many cases it would be found that the applicant did not thoroughly understand these questions, partly because it was the interest of the agents to place these in a colourable light, and the answers, consequently, were frequently defective, from a technical point of view. In many cases, indeed, verbal statements were made to an agent, and he filled up the paper, the result being that the applicant did not know what he had signed. Policies were, in this way, rendered null and void, and the holders of them were the sufferers. It was necessary that this state of things should be remedied. Many persons were, in the absence of family and other records, ignorant of their precise age, and, in consequence of the strict adherence to their rule in this particular, insurance companies were sometimes put to considerable expense in the way of litigation or the policy-holders suffered loss. How was an applicant to know exactly what his friends died of, what their ages were, and so on? Yet, if he made any error in his answers to such questions, his policy was liable to forfeiture. A misstatement of any kind, though it might have been made very innocently, frequently rendered a policy void. It was the duty of every man to lay past as much per week or month as he could afford, in

order to make some provision for his family after death, and it was very hard that, after investing his savings in this way, they should run the risk of being forfeited through no misstatement designedly made by him. He (Mr. Trow) found that a very extensive business was done in this country, not only by Canadian, but also by American and British companies. He had some statistics which would show the enormous amount of business that was done. He found that from 1869 to 1876, the American companies had received in premiums the enormous amount of \$9,585,938, of which they paid to policy-owners only \$735,182, leaving in hands of the companies the sum of \$7,850,751. During the same period, Canadian companies had received \$3,704,245, while they had paid \$688,203, leaving \$3,016,042 unexpended. British offices represented in Canada had received \$4,658,789, the sum expended was \$1,790,541, so that \$2,868,248 remained unexpended. The total amount, therefore, unexpended by Canadian, American and British companies was \$13,735,041. The number of companies licensed was 37, there being 7 Canadian, 17 British, and 13 American. The amount of business done by the companies of these respective countries in 1876 was as follows: Canadian companies had done business to the extent of \$768,543 in premiums; British companies, premiums representing \$597,155; American companies, \$1,437,612. The total amount of premiums, therefore, in 1876, was 2,803,310, and the amount paid \$378,498. In 1875, there were 2,882,387 premiums, and the amount paid was \$718,438, leaving a balance unexpended of \$2,163,949, while the balance in 1876 amounted to \$1,923,847. The figures he had quoted referred only to companies which had received licenses from the Dominion; many others had been licensed by the Governments of the various Provinces. When, therefore, it was seen that a large sum of money was going into the hands of American companies, it behoved Parliament to see that our people were protected. A few days ago he received a letter from the widow of a late member of Parlia-

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ment, and who was now resident in the city of Toronto, stating that her husband had pail over \$1,800 into an American company and that she was anxious to obtain a compromise, having been offered only \$545. The first clause referred merely to age; and here he would remark that if a mistake in this particular was not discovered till seven years' premiums had been paid, it should not occasion loss to the holder of a policy or his heirs. In some English companies five years was fixed as the period during which a policy erroneously filled up could be forfeited or endangered. The second section was in reference to the payment of money into Court, which he thought was a plan that would commend itself to the House, as it would benefit the widows and families of policy-holders while it would do no harm to the companies. The next clause referred to cases where a person insured committed suicide. It was generally the case that, when a man took away his life, he was not sane, and it was not right that his unfortunate family, who were not blameable, should be the sufferers. They ought, he considered, to receive some compensation. He saw no reason why the third party, the innocent purchaser, should be kept out of his just rights, or why the family of the man who had committed this rash act, should be deprived in consequence of his act. The fourth clause provided some proper understanding as to the amount policy-holders should receive after payment of certain sums, upon the proper calculation of an actuary on the tables of mortality. At the present, if the claim was \$2,000, the companies would offer \$400 or \$500, and in many instances poor people were not in a position to go to law with companies and had to accept a paltry sum when they were entitled to the full amount. The Bill was very plain and explicit, and his only desire was that policy-holders should be protected.

Mr. CARTWRIGHT said that nobody could dispute the excellent motives of his hon. friend, but he doubted whether the hon. gentleman had sufficiently considered the

effect of his proposition. It proposed to alter every contract of life insurance entered into in the Dominion, involving a sum of \$80,000,000, and distributed over a considerable number of persons.

Mr. TROW: It will only affect policies issued after July next.

Mr. CARTWRIGHT: "Every policy of insurance issued or to be issued," are the words at the commencement of the Bill.

Mr. MILLS. And the 7th clause says the Act shall apply to "all policies now in force."

Mr. CARTWRIGHT said he did not think it was possible for them to entertain a proposition of this kind. It must be recollected that a great proportion of the persons who were insured were not persons of the poorer class, as the hon. member for Perth (Mr. Trow) presumed, but of the upper or middle class of life. It was unfortunately the case that, as the matter stood, an extremely small number of workmen availed themselves of the provisions of life assurance, and, no doubt, it might be a matter of serious consideration whether, under these circumstances, it might not be well for the Government to offer to these classes, in some other way, the benefits of life assurance. He thought this would meet the object of his hon. friend much better than the measure now proposed; which, besides violently altering all these life assurance contracts, would also alter the basis of computation on which these companies were doing business, and, therefore, seriously impair the character of the security they offered to holders.

Mr. TROW: That was not my intention.

Mr. CARTWRIGHT said it might not be the intention, but it was so, especially by the 7th section of the Act. Although it might be true that several companies doing business here inserted in their policies a great number of provisions which might be avoided, still he did not think any of the great companies were in the habit of taking advantage of these, unless there was ground for suspicion of fraud. As for the proposition that

every company should be obliged to pay a certain cash surrender value, when any person chose to withdraw his policy, he thought, was an interference with existing contracts, such as it had not been the policy of Canada to assent to in any case. He hoped the hon. gentleman would allow his measure to stand over, and he was strongly of opinion that the object the hon. gentleman desired to attain would be best attained by the suggestion he (Mr. Cartwright) had made.

MR. TROW said he had no desire to press the matter on the House, if it was objectionable. His intentions were sincere, and he had received a number of letters in support of the principle of the Bill; some, even, from insurance agents, and quite a bundle of letters from those afflicted by the clause which this Bill was intended to relieve. He anticipated that several gentlemen would take the matter into consideration and discuss it more thoroughly.

MR. KIRKPATRICK said that if the hon. gentleman did not accept the advice which had been tendered to him by the Finance Minister, he should like to say something upon the Bill. He thought it would be better for the hon. gentleman to use a little discretion, and save the House the infliction, at this late hour, of a speech upon the subject.

MR. MACKENZIE: Which would be just as bad as the Bill.

MR. KIRKPATRICK said it would be impossible to have the Bill passed this Session, there were so many details to arrange; and, no doubt, the hon. member would be here next Session, when most of the Opposition were away, and could then exercise his influence with the new Administration.

SIR JOHN A. MACDONALD: This is a Bill that thoroughly commends itself to the feeling of the House, and the faint-hearted opposition which had been offered by the hon. the Minister of Finance shows that he is afraid to meet it.

MR. GIBBS (South Ontario) said he hoped the hon. gentleman would withdraw his Bill. The House would readily understand why the hon. gen-

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tleman had received so many letters approving of the Bill. Many persons, no doubt, would be glad to alter the terms of their contract, to their own advantage, and, no doubt, parties insured would be glad to discontinue paying premiums. If the Government did not take this matter in their own hands, the hon. gentleman could introduce it next year.

MR. POPE (Compton) said he could not understand the argument of the hon. member for South Ontario, who should know that if any old gentlemen and ladies who had insured their lives, had made a mistake in not giving their exact age, or who had omitted to pay up the day due, or any other error of this kind, would obtain relief by the Bill. The Bill might be changed somewhat in Committee, but it seemed to him to be a necessary one, one which would protect those people who, through inadvertence, had not given the exact day they were born, or had made some other mistake of this kind, from being deprived of their insurance, after they had paid up for many years in good faith.

MR. OUIMET said if that Bill were of any value, it would be owing to the retroactive clause which it contained. If that clause were taken away, it would not be of any use for several years. If there was any reason to enact such a law, it was because of the hard times which had overtaken a great many who now thought their lives were not worth what they had to pay every year for them. As long as the crisis continued, which the Government were sure would not last long, and he hope they were right, the people of this country, in his humble opinion, would not insure their lives. If the retroactive clause were taken out, the hon. member, who had introduced it, would lose all his sympathy, because he (Mr. Ouimet) felt inclined, himself, to draw back the amount of his insurance policy, considering now his life was not worth what he was paying for it.

MR. SMITH (Selkirk) said that, notwithstanding the very hard times, a very great number of people did insure their lives at present.

MR. OUMET: I suppose it is because they expect to starve.

MR. SMITH (Selkirk) said a portion of the Bill recommended itself to this House. In the first clause it would be very proper that insurance policies should be non-forfeitable after several years. But he thought such a Bill ought rather to be postponed until a further period.

MR. BROUSE said, having been closely connected with insurance companies as a medical director, he believed no insurance company could carry on business if a Bill of this kind were passed. It would be well that life insurance should be more immediately under the control of the Government. Yet, they had to look at the companies themselves as well as the individuals who were insured in them. No doubt, in many instances, parties insured had falsified their statements, making the companies liable when they should not have been liable under the circumstances. It was the same as with fire insurance. There was always a tendency to compel the company to pay if there was any reasonable excuse. He hoped his hon. friend would withdraw the Bill.

MR. TROW said he must throw the responsibility of its withdrawal on the Government. He had expected better treatment for the measure. He could not find in the Bill any cause for the remarks of the hon. the Finance Minister. There was no intention that the Bill should be retroactive. It was framed for the protection of the labourer and mechanic, and if hon. gentlemen disputed his word, he could show them a number of letters proving cases of extreme hardship. If the Government desired to shirk a measure of such importance, he could only move that the order be discharged.

MR. PLUMB said the Bill merited to be calmly considered by the House. The question of non-forfeiture of policies was one which interested everyone who had examined carefully the principles of life insurance. The great hardship which arose out of forfeiture of policies might, in some measure, be guarded against by this Bill, with

some amendments introduced. He did not think all the statements of the hon. gentleman, with regard to the enormous profit of life insurance companies, were based on sound information or knowledge of the principles upon which life insurance was based. No doubt constant difficulties arose from incorrect statements of those who effected insurance, but a distinction should be made between criminal misstatements and accidental ones. He did not think the position taken by the hon. the Finance Minister was at all fair to the hon. member for South Perth, and his Bill should have been allowed a fair discussion.

Order discharged and Bill withdrawn.

House adjourned at  
Fifteen minutes to  
One o'clock.

## HOUSE OF COMMONS.

Thursday, 4th April, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### CIVIL SERVICE BILL.

#### FIRST READING.

MR. CASEY introduced a Bill (No. 70) To ensure the better qualification of public servants, and the greater efficiency and economy of the public service. He said it was intended, in the first place, to constitute a board outside of the existing Civil Service, to control almost all the business of the Service, subject, of course, to the approval of His Excellency the Governor in Council. This Board was to carry out a change in the mode of selecting public servants, by substituting a triple selection instead of patronage. This triple selection would consist in a qualifying examination, intended to show the fitness of individuals for the Service, which was to be followed by a competitive examination, and the required number was to be selected from those who were found to be so fit. The process would conclude with a year's trial, until the

completion of which, the person nominated would have no claim to a permanent appointment in the Service. The Bill also provided for uniform promotion throughout the Service, both inside and outside, and that the higher positions, with certain exceptions noted, should only be filled by promotion from the ranks below; and this should be the course followed in the outside service, as well as in the Departments. Certain officers in each Department would constitute a staff entirely at the disposal of the responsible Minister of the Department, who, of course, would require to have in positions nearest him people in whom he had full confidence. There were also certain provisions as to discipline and a few other minor details. Full details were given as to the mode of conducting the examinations and other particulars regarding the process of selection to which he had referred.

*Bill read the first time.*

CANADIAN PACIFIC RAILWAY ACT  
AMENDMENT BILL.—[BILL No. 52.]

(*Mr. Mackenzie.*)

SECOND READING.

Order for second reading *read.*

MR. MACKENZIE, in moving the second reading of the Bill, said that hon. gentlemen would observe that the Bill was intended to confer the same powers regarding the leasing and working of the Pembina Branch of Railway as were taken in the 15th section of the Railway Act of 1874, with regard to the Georgian Bay Branch Railway. In this section, power was given to the Government to lease to some company or companies the Georgian Bay Branch Railway, on such terms as might be agreed upon, such lease not to exceed the term of ten years; provided, that no such contract for the lease of such railway, and no such agreement for working the said railway in connection with any other railway should be binding until it had been laid before the House of Commons for one month without being disapproved of, unless sooner approved of by resolution of the House. In this case, it was also provided that

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no such traffic or running arrangements should be binding beyond the end of the next Session of Parliament, unless approved thereat. The Government might find it convenient, if the railway in the United States was completed late in the season, to make temporary running arrangements until Parliament met in the spring; and no lease would be effected until it had been approved by Parliament. This was the sole provision of the Bill, and one that was rendered absolutely necessary by the position in which they found themselves of connecting with some road on the boundary. When he introduced the Bill, the hon. member for Cumberland, he believed, made some enquiry as to the views of the Government in relation to rates; and he then stated that whatever lease was made, care must be taken to have the rates governed by the lease, both as respects the part of the line in our own territory and any line with which it might connect, and these rates should be regulated by way of Duluth, no matter upon what road the traffic might be driven by force of circumstances. The Government had no lease prepared, although they had been in communication with the St. Paul and Northern Pacific Railway Company; and they had been considering the terms of the lease, or the terms of running arrangement; both were distinct matters and distinct modes of working the road. If they made a mere arrangement for the interchange of traffic, they would have to stock their own road. There were serious objections to this, as they hoped that the entire system of railways in the North-West would be worked by a company. It was not the intention of the Government at present to contemplate the possibility of the Government itself working these railways. It would be, therefore, more desirable to effect some arrangements by the lease of our own line to a company which had stock, than to have to stock their own road, and be compelled to build workshops and maintain a staff of workmen for the purpose. Something was to be said for both modes, but whatever mode was adopted, he hoped that before Parliament rose the Government would be able to present such a scheme to the

House as would meet with its approval. He had, however, no objection to alter the Bill so as to provide that no such contract would be binding until it had the approval of Parliament. This, probably had to be acted upon this Session, and so it would have to be done in that way at any rate.

Bill read the second time.

House resolved itself into Committee on said Bill.

(In the Committee.)

SIR JOHN A. MACDONALD asked whether negotiations had not taken place and were not now in progress with the company, which the hon. gentleman had mentioned.

MR. MACKENZIE: I stated two weeks ago in the House that we were in communication with Mr. Stephens, of Montreal, as the representative of the St. Paul and Northern Pacific Railway Company.

SIR JOHN A. MACDONALD: Will the lease contain any clause in case of other American railways connecting with our railway, and running up to the frontier.

MR. MACKENZIE: It will contain simply a provision that there must be accommodation for the exchange of traffic, and trains loaded at Winnipeg or Selkirk with goods will have to go solely by the line with which traffic arrangements are made.

SIR JOHN A. MACDONALD said he hoped that precautions would be taken. The hon. gentleman must be aware, from the Press, that a good deal of uneasiness was felt on this subject in the North-West, lest the company alluded to, in which Mr. Stephens and other gentlemen had an interest, would have a monopoly of our road.

MR. MACKENZIE: No doubt.

SIR JOHN A. MACDONALD: For ten years; and lest, if any other line should lead up from the United States to the frontier, it would be prevented from going to Winnipeg over this line, by this lease, thus granting a monopoly to one line. He did not know much about the subject, but he knew that this feeling, and a sensitiveness regarding this subject, existed—lest a mono-

poly, controlling the whole of the traffic between the United States and Winnipeg, should be created. Ten years was rather a long term. In a young country, it equalled 25 years in an older country. He thought that the hon. gentleman ought not, without very grave reasons, lock up the line from Winnipeg to Duluth, for ten long years.

MR. MACKENZIE said that, of course, he quite agreed with the hon. gentleman that a shorter term would be better, but it was simply a choice of evils. The hon. gentleman was aware that the principal part, and in fact nearly the whole of our own road had been graded for three and a-half years, and they had been waiting in vain for any connection. He did not, at this moment, know of any other company that proposed to extend a line to that point and it was a question whether they would make a lease for ten years, or have no railway. He wished to be perfectly frank with the House in the matter. This company declined to proceed with the building of the road for any less term; and it did demand a term of 21 years, which the Government at once declined. The term of ten years was the least, he believed, which would induce any connection to be made with the Government line. He had no doubt whatever it would be better for the interests of that country that they should effect a lease for that period than not have the road. The term of ten years was proposed in the lease.

MR. KIRKPATRICK said he would not say that this was not a good plan, but he hoped the Government and the Minister of Public Works would take special care to guard the interests of the people in that Province. It was well known that this company, which would receive the lease, was virtually the same company that owned the Kittson line of boats. The proprietors, he believed, were the same, and this line of steamboats had ground down the people of Manitoba. Their charges during the last two or three years had been most exorbitant, and they stated openly they knew that their life was a short one; and therefore, that they had to make their profits in a hurry;

and now they were going to have the control of our railway. If the Government, in making the terms of the lease, could make some terms by which the rates for trade and passengers would be kept down to a reasonable sum between Winnipeg and Duluth, if between no other places, this would be a great boon to the people of that country. He did not know whether the hon. gentleman was aware that the charge for freight on 100lb. of goods from Montreal to Winnipeg was \$2.50 of which 50c. were charged for passage from Montreal to Duluth, the remaining \$2 being charged for transport between Duluth and Winnipeg. This was altogether out of proportion. If the same rates were maintained, it would be a mere monopoly. If these roads were to be maintained, the people of that Province would be taxed to an enormous extent. They had already paid nearly \$1,000,000, and the hon. the Minister of the Interior, while in that district, had heard complaints made with regard thereto. These people were anxiously looking forward to the opening of this line in order that there might be competition with the river vessels, but if it passed into the hands of this company, there would be no competition whatever, and no reduction of freight.

MR. MACKENZIE said it was exceedingly inconvenient to discuss the terms of a lease not yet prepared. No lease, the hon. gentleman might rest assured, would be prepared that did not provide for the Government controlling the rates, and that these rates should be the same to Duluth from this Company's road at Clinton, where it crossed the North Pacific as the North Pacific Railway rates. It would be provided that they did not exceed the average rate of freights in the State of Minnesota. There would be no difficulty in controlling the rates in this way; but the hon. gentleman would have an opportunity before the House rose of discussing the terms of any arrangement which the Government might propose.

MR. WOOD said, if this Bill passed, it would have the effect of diverting the trade from Duluth to St. Paul, whereas, if the line was more directly

under their control, otherwise than by lease, the trade might be brought into Ontario and Quebec.

MR. MACKENZIE said they must either leave it or make a running arrangement, so as to have a through route at rates not exceeding those charged in Minnesota.

MR. WOOD: Would it not be better to have running powers than to enter into a lease with a foreign company?

MR. MACKENZIE: That is a question to be considered.

MR. McCALLUM said it appeared to him that, if this line was leased to a company for ten years, it would be the means of taking the trade of the North-West into the United States. He thought the Pacific Railway should be pushed on as fast as possible, so that the trade of the country might go by that route.

MR. MACKENZIE said it would take some years to complete that road, and, in the meantime, the proposed scheme would afford a cheap and rapid means of intercourse into our territories for the conveyance of emigrants and others who wished to settle there; also a cheap means of transporting the grain of the country—a trade which was expected to be more important next winter. In fact, no other arrangement than that contemplated could possibly meet the exigency which had arisen.

MR. POPE (Compton) said it appeared to him the difficulty which the Government laboured under was this: that they could not very well get a company on the other side to build part of this road.

MR. GIBBS (North Ontario) said there seemed to be a good deal of anxiety manifested in the country generally with reference to this proposed lease, but he thought the assurance given by the hon. the Minister of Public Works would go far to relieve the public mind on that particular point. The statement which the hon. Minister had made, and which was concurred in by the right hon. member for Kingston, was eminently satisfactory. The fear entertained throughout the country was, that

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the trade of Manitoba might be directed to St. Paul, and that if it once turned in that direction it would be exceedingly difficult to bring it down to Duluth again, and through the Province of Ontario. The statement made by the hon. the Minister of Public Works on that point was, however, also assuring. He did not intend to find fault with the duration of the lease being fixed at ten years, but thought it would be in the interest of the public to reduce that period if at all possible. He hoped it would be seen, from the remarks made by hon. gentlemen on that side of the House, and the assurance of hon. gentlemen on the other, that the interests of the people of Manitoba would be jealously guarded.

MR. LANGEVIN said he agreed with the views of the hon. member for Compton regarding the difficulty which the Government had to encounter in this proposed lease. He thought the Bill would be improved by altering the duration of the lease from ten years to five, terminable at the option of the Government on giving six months' notice. That, he thought, would be a very safe stipulation in case the railway from Red River to Lake Superior was opened before that time. He would like to hear from the hon. the Minister of Public Works how long it would be till the railroad from Rat Portage to Lake Superior was opened.

MR. MACKENZIE said he could hardly state that, because it depended on measures yet to be taken by the Government, on the discussion of which he would hardly like to venture at the present moment. As, however, that was connected with the policy of the Act of 1874, he might briefly say that, under the circumstances, it would not be less than four years. Circumstances might arise which would render it inexpedient to open it even then; it was a matter of public policy, to be discussed in another direction. In the meantime, the country between Rat Portage and Winnipeg would be served and find an outlet through the proposed Minnesota line.

MR. LANGEVIN said he quite understood how difficult it was to dis-

cuss a matter of this kind when negotiations were pending, and probably it would be inconvenient to do so. He thought there should be a stipulation in the lease to the effect that branches of other railways might reach our frontier. Measures of this description were very apt to be laid on the table, and set aside till the time for disapproval was past; and he thought a formal motion should be made by the hon. Minister, so that the House might have an opportunity of giving an affirmative answer or refusing to sanction the lease.

MR. PLUMB said the exigencies of the case might justify some such arrangement as that proposed in the Bill. If carried out, however, it would virtually amount to an abandonment, for the present, at least, of the scheme for building a railroad from Fort William to Red River; because it was quite certain that both lines could not be supported by Government. It might be desirable, in the interests of the North-West and in the general interests of this country, that the proposal now made should be carried out; he did not intend to question that or to discuss it now, because he did not know what the terms of the contract were to be. As stated by the hon. the First Minister, it would be several years before the intermediate link, which was now being constructed, would be finished, and if this scheme was now adopted, there would be no immediate pressure on the Government to spend money upon that intermediate link. During the last three or four years it had been urged, with great pertinacity, that what were called the water-stretches between Lac des Mille Lacs and Lake Rat Portage ought to be utilized for the purposes of traffic.

MR. MACKENZIE said he was sure the hon. member for Niagara (Mr. Plumb) would see how exceedingly inconvenient it was to enter into a discussion on the whole subject of the Bill, and it had better be postponed at present. It had been suggested that the proposed connection should be made, and this Bill was merely to enable them to make the necessary arrangements if approved of.

MR. PLUMB said the scheme of 1873 was part of the general scheme, and this the hon. gentleman (Mr. Mackenzie) and his friends had entirely departed from, and the late Government were not in any way responsible for the changes which had been made in that scheme. He did not wish to go back to original principles in discussing this Bill, but simply wished to call the attention of the House to the fact that the building of this link and the making of this contract would retard, for many years, the completion of the intervening length between Rat Portage and English River. He thought he was right in saying that it became a great necessity to give an outlet to the traffic which existed. Without attempting to argue the point, he would say that the proposed scheme would, in his opinion, retard the great scheme of the Canada Pacific Railway.

MR. MASSON said the declaration which the hon. gentleman (Mr. Mackenzie) had made with reference to the connection between the two branches from Fort Garry to Fort William was a very disappointing one, and would be a very disappointing one to the country. The hon. the Premier was understood, four years ago, to say that the construction of the line would be an affair of four or five years; five years had now passed, and here was the Prime Minister telling them that it was hardly possible that the line could be built for the next four years, and seeming to think that it would take some six or seven years to complete it. Last year the hon. gentleman said that his intention was not to place any of the line under contract, because, in a year, they might get contractors to take the line.

MR. MACKENZIE: No; I said a great deal more than that.

MR. MASSON: I do not wish to distort the expression, and I will read it.

MR. MACKENZIE said he thought it would be better to postpone the reading. When speaking last year, he said repeatedly that, in any discussion upon the subject, or with reference to the survey connected with the railway system, the Government always spoke on what information they

had at the moment. At the time he made the speech to which the hon. gentleman (Mr. Masson) referred, they had some expectation that they might be able, during last winter and spring, to be in a position to advertise for tenders, and submit them to the House this Session. It turned out that the survey had taken the whole year, and at this moment the whole information was not yet laid before the Government by the engineer, and so they were not able to take the steps which they thought of doing last summer.

MR. MASSON said the hon. gentleman did not understand him. He was not speaking of the advertisements for the whole line of railway, he was speaking only of the line from Fort William to Fort Garry. The hon. the Premier said that: "It will be all rail when it is built, but it will pass by the lake in the meantime; but will not go one inch off the main line. We do not propose to place any under contract but those two ends, in the meantime, because we hope to have an arrangement made a year hence that we can get contractors to take the line."

MR. MACKENZIE: I meant the whole line.

MR. TROW said it was well known that it would take three or four years at least to complete that portion of the road, but the inhabitants of Manitoba required immediate railway communication, and it was evident that those railway managers who were prepared to construct that connecting link from Fisher's Landing, would not be prepared to enter upon the work unless they received some substantial encouragement from the Government. He thought that, instead of retarding the construction of the Pacific railway, it would have an entirely different effect.

MR. ORTON said, if he understood the matter, there were two railways converging at Pembina. If the line from St. Paul's to Pembina was extended to the Canada Pacific Railway, it must divert, to a large extent, the trade and commerce from Ontario, because the Americans would have

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greater facilities for carrying the traffic over their line. On the other hand, if he was correctly informed, the longest route was that of this proposed line from St. Paul to Duluth, and, therefore, no running arrangements being made, the people of Manitoba would be obliged, for two years, to carry their produce by the longest route. It appeared to him that the fact that Manitoba was so rapidly settling up should induce the Government to retain the road under their own control, so that they could give to these roads, or any of them, the same running powers, so that the people of Manitoba and the North-West would have the benefit of a healthy competition for their traffic.

MR. MACKENZIE said the hon. gentleman was certainly right, but the Government had been waiting for two years, and had been unable to induce anybody to make the communication.

MR. ORTON said he thought the very rapid settlement was a sufficient guarantee that some of these roads would shortly find it to their advantage to make the connection.

MR. MITCHELL said that he entirely approved of the measure, and for this reason, that it seemed to him to open up the only outlet by which the people of the North-West could get their produce to market. If they could get their own line constructed in three or four years even, he would consent to wait; but he did not see any chance of this, and, therefore, to give to the people of the North-West immediate aid and relief, he would heartily support the measure of the Government for making that lease. He must say, however, that extreme caution must be used with respect to the terms of the lease. There was no doubt that the Minister of Public Works had given great attention to the matter, and he was a man thoroughly well qualified to judge what was to the interest of the country, but there was nothing that people would feel more jealous about than the creating of a monopoly which we might hereafter redress, but might not be able to control. He trusted the Government would not lose sight of this point in determining the terms of the

lease. If they could possibly introduce a condition that these railways would have running powers over the American line, it would be extremely desirable, but we were in their hands; all we could do was to make the best arrangement possible under these circumstances. It was important that the Government should not create a monopoly, but, at the same time, should give to the people of this territory the railway facilities they had a right to expect.

MR. SCHULTZ said he regretted that he had not been present during the opening of the debate, but the Bill commended itself to him, inasmuch as such an amendment to the General Railway Act was necessary to enable American lines to connect with the Pembina Branch. The only subject of anxiety with him was the terms of the lease, the preparation for which this Bill avowedly was. This matter was a most important one, in view of the statement made by a Minister of the Crown in another branch of the Legislature, to the effect that we might not expect communication by the main line with Lake Superior in less than six years, and he trusted that the Government would not be misled by misrepresentations, which he felt almost sure were being made to them by parties interested in obtaining the lease in question. It must be remembered that to deliberately give the control of our road to any one line would be to create the chance of continuing the monopoly which now existed in the carriage of freight to Manitoba, and the consequent damage to the best interests of the country. With our Pembina Branch, three railway connections were possible and probable—that of the St. Paul & Pacific, the Northern Pacific, and the Wisconsin Central. It was with the first of these lines that Messrs. Stephens, Smith, Kittson & Hill proposed to make their connection with the Pembina Branch, and it would be found worth a few moments' consideration to examine into these gentlemen's connection with this line, and their reasons for desiring an exclusive lease of the Pembina Branch for a long term of years. It was known that, in conse-

quence of difficulties between Amsterdam bondholders and the American management of the road, all work had ceased on the branch known as the St. Vincent Extension, leaving about fifty-five miles of uncompleted road. To cut this knot, it was necessary to purchase these Amsterdam bonds; and the Kittson Red River steamboat line, feeling their occupation going, joined with George Stephens and Donald A. Smith in the purchase of these bonds; and a probably correct version of these negotiations was to be found in the following paragraph from the St. Paul *Pioneer Press*:—

“Negotiations which have been long privately pending are now substantially concluded at Amsterdam and London, whereby a majority of each of the five classes of the mortgage bonds covering the main and branch lines of the St. Paul and Pacific Company have been purchased by a new organization of Canadian and Minnesota capitalists, thus transferring to them the controlling interest in the bonds of the St. Paul and Pacific Company, including the first division, which has been heretofore held at Amsterdam. The scheme which has been thus successfully worked out was initiated by Mr. Jas. J. Hill and Mr. Norman Kittson, of St. Paul, who finally succeeded last May in enlisting the co-operation of some of the heaviest capitalists in Canada. We are not now at liberty to mention the names of these gentlemen, but we may remark that they were abundantly able to furnish the \$520,000 in gold or, thereabouts, which was necessary to complete the purchase of sixty to eighty per cent. of each of the five classes of St. Paul and Pacific bonds, and there can be no impropriety in our stating that Mr. Stephens, the President of the Bank of Montreal, went himself to Amsterdam for the purpose of affecting the purchase upon terms previously agreed upon.”

This purchase brought with it, as a matter of course, the right to the large land grant of the road if the line should be completed before the fall of 1878, and it seemed strange that, with these advantages, they should have sought for the exclusive control of the inlet and egress from the North-West. The purchase was, however, no sooner made than it was announced at St. Paul, several months ago, that they had already obtained a lease of the Pembina Branch. This had the effect of choking off the Northern Pacific which was very anxious to make a connec-

tion, and which, by running a branch line north-westward from their branch line, could have given to it a far straighter and shorter line than was now proposed. Early in this Session, however, a question was asked of the Premier whether such lease had been given, and his answer in the negative seemed to have again raised the hopes of the railroad which wished to connect with the Pembina Branch as well as the St. Paul and Pacific, and again, it appeared the parties interested were trying to strangle opposition by the publication in the St. Paul papers of articles of which the following is the telegraphic summary, as given in the *Toronto Globe* of the 8th March:—

“ [By Telegraph from our own Correspondent.]

“WINNIPEG, Man., March 7.—The St. Paul *Pioneer Press* states editorially that the purchasers of the bonds of the St. Paul and Pacific Railway are Messrs. Hill and Kittson, associated with Mr. Stephens of the Bank of Montreal, and Mr. Donald A. Smith. It asserts that, through the influence of the latter, the support and co-operation of the Dominion Government have been obtained in the adjustment of their connections with the railway system of Manitoba.

“It affirms also that they have, in fact, effected a lease on favourable terms of the Pembina Branch, and that this intimate alliance furnishes an ample guarantee that it will be forever free of the competition of the Chicago lines.”

The article concludes:—“It is deemed proper to make public these facts to disabuse antagonistic parties of misapprehensions which may lead to a useless waste of valuable time.”

A few days later, a question as to the truthfulness of the whole or any part of this report, was asked of the Premier in the House, and his reply that some correspondence had taken place between Mr. Stephens and the Government was the ground of making the present motion. It was quite evident that, if the statement of the Premier was true, that no lease had been effected to these parties, that they must be using the grossest falsehoods for the purpose of preventing the Northern Pacific and other railroads from asking that connection with our line which they were seeking themselves. It is quite apparent as well that, if they succeed in their object, Manitoba may expect

no mercy in the way of reduced freight; and they can, and probably will, in the interest of their eastern railway connections, compel all freight to take the all-rail route, and cut off the lake trade completely. It would be a different matter if these parties only sought a running-right over our road and if they agreed on our line and their own to carry freight at a reasonable rate; but it will be found that they will seek to shackle themselves with no such conditions, and instead of accepting on the Government road the Government price on the Intercolonial which was, he believed, 47½c. per ton per hundred miles, and on the Chicago and North Western 77½c. per ton per hundred miles, as the price on their own line, their rates would be found to more nearly assimilate to those of the notorious Kittson Red River line, with whom they are in league, or rather, form part and parcel. He thought it an act of madness to lease the Pembina Branch at all. Why not run it, and allow any railroad which chose to make a connection and run its cars over it at a certain fixed rate? A protection of this sort was due to the Province of Manitoba, and while it might be and probably had been, urged by the parties named, that they would not go on with the completion of the St. Vincent Branch without the Government gave them the terms which they were assumed already to have got, it must be remembered that, having bought the lands, they had no choice except to continue the work or forfeit the land grant which made those western roads so valuable.

MR. BOWELL said the Government, though they asked this power, should consider well before entering into any arrangement with the St. Paul and Northern Pacific Company or its branch, by which a monopoly would be created for ten years to come, for all the traffic from the North-West. If he understood this scheme, speculators had purchased these St. Paul Northern Pacific bonds, which belonged to some people in Germany, to the amount of some fifteen or twenty million dollars, for a mere trifle, comparatively. Having invested their money in these bonds, they now desired to

continue the line, and to make such arrangements with the Canadian Government as would make that property valuable. The hon. the First Minister had told the House that, unless the Government was put in a position to lease them the upper portion of the line, or to enter into certain arrangements with them, that this company would not continue their road westward. The Government should be very cautious about placing this power in the hands of a number of gentlemen who had invested money in the purchase of these bonds for the purpose of acquiring the property, and for the extension of the line in order to secure the means of traffic which must necessarily flow eastwards from the North-West, the present trade as well as the enormous traffic which would have to come eastward in a very short time, particularly when they understood that it would be owned by those parties who had exacted enormous freight rates from the people of the North-West,—rates so enormous that they almost doubled the cost of the goods taken into that country. If the statement made by the hon. member for Lisgar was true, and he had no doubt it was, the gentlemen connected with the Northern Pacific Railway were prepared to construct a line, if they could make certain arrangements from Detroit station, on the Northern Pacific, to Pembina, which made the route from fifty to sixty miles shorter. The Government should have the power to give that line the same advantage which they gave to the Northern Pacific Railway if, by so doing, they would shorten the distance from Pembina to Duluth, by that route, some fifty or sixty miles. It seemed like taking power to perpetuate, or at least to place, for ten years, in the hands of those who had become wealthy out of the Kittson line of steamers, the control of the traffic from the North-West. He did not pretend to say that the Government should not have the power to make any arrangements to facilitate the bringing of traffic from and to the North-West, but he did say that Parliament should be very cautious how they entered into an arrangement which would affect other competing lines, and tend to continue the enor-

mous rates paid for traffic to and from that territory. He believed it would be much better to take the view of the hon. member for Marquette, and allow the present state of affairs to remain a year or two longer, than to rush into this scheme and enter into a bargain which might materially affect the prosperity of the North-West in the future. And, he believed, it would be better that an all-rail route through our country should be pushed forward with much more energy than it had been in the past, and that we should not be dependent, either directly or indirectly, upon any American line. If there was disposition shown to accomplish this desirable object, it would be more satisfactory to the people of the North-West, and of the Dominion generally, than any piecemeal scheme, either by water-stretches or by effecting leases with lines which ran from American territory. There was this danger: that, once a line had been established, and the carrying of freight began over that line, and it was carried into the United States, those connected with this St. Paul Pacific Company would endeavour, by every possible means, to keep that traffic which they had secured, and thereby injure the carrying trade which would otherwise come through this country. The Government should be very cautious, and exercise this power judiciously and in the interests of the Dominion. There might be connected with it—and this very proposition seemed to warrant the supposition—persons who were deeply interested in this Kittson line, and who had political influence which they used to their own advantage and to the detriment of this country.

Mr. CURRIER said he could understand the position the Government were placed in, in negotiating with these different railway interests, for the purpose of carrying out this scheme of giving railway communication to the North-West. Any railway company which would undertake to extend their line to Pembina, would deserve, and he could not blame them for it, to have the sole business of that line, and, therefore, it was scarcely possible that the Government could keep themselves open to make arrangements with more

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than one line of railway to extend their lines to Pembina. No railway, he fancied, would wish to make an arrangement unless they got a monopoly of the whole trade. If the Government took this stand: that they would not arrange with this Company except that they should be open to arrange with any other one upon the same terms, then no company would undertake to extend the line. Therefore, they could see what position the Government was placed in. No doubt, the trade of the North-West was going to be diverted back to the States, and, for his part, he had only to say that he held the Government responsible for not having already a road completed between Thunder Bay and the North-West. If the Government had directed their attention in that direction, the road would have been built before to-day between Thunder Bay and Pembina. The country would hold the Government responsible for their failure in doing this. As regarded the term for which they would make the arrangement, he did not see it made any difference, whether five, ten or twenty years, because it must continue until the line would be built in our own country.

Mr. SMITH (Selkirk) said that, being intimately acquainted with the North-West, and being a representative of that part of the country, he had necessarily taken very great interest in endeavouring to obtain railway communication with Manitoba as soon as possible. As far back as two years, or even more than two years, he understood it might be possible to make some arrangement which would get rid of the great hindrance in the way of opening up communication with the American lines at Glyndon. However, after many endeavours—he spoke of endeavours on his own part—it was not until quite recently anyone had been found who would take that same interest in it he had felt himself. Fortunately for the Dominion, and certainly most fortunately for the North-West, some gentlemen of enterprise and of means were at length induced to look into the matter, and he believed they had been able to make arrangements by which they

would be prepared to open up communication with the North-West—that was, with Pembina. The hon. member for Lisgar (Mr. Schultz), as he understood from what had been stated by the hon. member for North Hastings (Mr. Bowell), for he did not personally hear the remarks of that hon. member, appeared to have stated that the Northern Pacific Railway Company was prepared to build a line to Manitoba. He (Mr. Smith) believed—and he had the best reasons for believing—that the company had not any such intention. During the past four or five years it had been found that it was utterly useless to build on the Canadian side, as no one would take up the question of building a railway on this side of the line, and the difficulties appeared to be insuperable. Many efforts were made, but at length the difficulty was partially surmounted, and gentlemen in this country took upon themselves very heavy responsibility indeed. They seemed a very large amount of bonds, but not for the trifling sum of which the hon. member for North Hastings had spoken—and he (Mr. Smith) spoke with knowledge in regard to the matter. He could not state the exact amount, nor was it necessary that it should be given, but it was a good many millions of dollars, which, though he did not know how it might be with the hon. member for North Hastings, was generally considered, and especially in the present time of depression, a very considerable sum. Those gentlemen went to the Government and asked them, that, in consideration of extending the line upwards of seventy miles through a district which, at the present time, was without settlement, and from which there could not be any local traffic whatever, they should obtain running powers on certain conditions on the Pembina Branch; but, at the same time, he was fully convinced that those gentlemen did not desire, or would not require from the Government, even if the Government were prepared to give it to them—which he was assured they would not—anything but what could be fully justified to every hon. member who would take a reasonable view of it. He believed those gentlemen would be quite pre-

pared, with respect to rates, to say that they would not desire to charge more when there was no competition than on that portion of their line on which they came into competition with other railroads, thus showing that they were prepared to act in the most fair manner to the people of the North-West. He had obtained particulars in regard to the rates charged at the present time by different companies in the North-West, but he had not the details at hand, as he did not expect the subject to come up to-day. Nevertheless, he might mention one or two matters which would show the House that the heavy rates and great extortion spoken of did not rest with the Red River Transportation Company. The first class passage was, last year, and had been for two or three years, \$20. Of that amount, the Northern Pacific would not accept anything less than \$10 for carrying passengers 244 miles to Glyndon, which was made within twelve hours. From that point to Fisher's Landing, or rather Crookston, the other portion of the line belonging to the Red River Transportation Company, a distance of 70 miles, \$2.50 was charged. There remained the transit by the Red River Transportation Company for a distance of 380 miles, occupying two or three days on the river, for which \$7.50 was charged. The House would thus see that for transportation over 244 miles the Northern Pacific obtained \$10, that for 70 miles \$2.50 was exacted, and that for 380 miles, extending over two or three days, only \$7.50 was paid. For second class passage, \$12 was paid for the whole distance, of which \$6 was taken by the Northern Pacific for 244 miles, while the Red River Transportation Company obtained an amount in the same proportion as he had mentioned for the first class passengers. For Government emigrants, \$10 was paid from Duluth to Winnipeg, of which sum one-half went to the Northern Pacific and the balance to the railway from Glyndon, northward, and the Transportation Company. With respect to freights, their experience had been precisely similar.

MR. PLUMB enquired how much the freight was from Montreal to Winnipeg.

Mr. SMITH (Selkirk) said he could not state the sum, but he would endeavour to indicate what were the charges for transporting wheat out of the country, which was an important question to the farmers of the North-West. Last year, after a good deal of difficulty with the Northern Pacific Company, it was arranged that wheat should be carried at 40c. per 100lb., making 24c. per bushel, from Winnipeg to Duluth. Of that sum, the Northern Pacific received 17½c. for carrying it 244 miles; the railway from Glynndon to Crookston, 5c., and the Red River Transportation, for carrying it 380 miles, 17½c., the same sum as the Northern Pacific Railway. But there was a great difference between the services of the two companies, as every hon. member would perceive. The Transportation Company took the wheat on board their steamers at Winnipeg in bags. They engaged, in return for the 17½c., to land it, at their own expense, at Fisher's Landing, and also to place it on board the cars in bulk, bringing back the bags free of charge to Winnipeg. The railway company, on the other hand, had no expense whatever, except the hauling of it to Duluth, and they had no delivery to make. It was there handed over to the Elevating Company, and the charge for handling fell upon the wheat. It would be seen, therefore, that, in every case, the Northern Pacific Company obtained the lion's share of the freight charge, and it was rather hard that efforts should be made to run to the ground the Red River Transportation Company, as had been done. He was free to admit that, probably, the latter company had done very well and was making very fair profits, which was what other persons, under similiar circumstances, would be inclined to do, for even the hon. member for North Hastings would hardly refuse eight or or nine per cent. interest, and state that five was sufficient.

Mr. BOWELL: That would depend, in a great measure, whether I had a monopoly of the market.

Mr. SMITH said that, of course, the hon. member might not have exhibited as much moderation as the Red River

Transportation Company. That was very probable since the hon. gentleman had stated it would depend altogether on having a monopoly or not.

Mr. BOWELL asked whether it was true that the company divided 80 per cent. profit on last year's transactions.

Mr. SMITH said, not having been in any way personally interested in that company, even to the extent of a sixpence, he had no right to have any knowledge of its internal affairs. He desired, however, to point out that the responsibility for the heavy rates, which he admitted were heavy, did not lie at the door of the Red River Transportation Company alone, which obtained only a small share of those rates, the greater portion being taken by the Northern Pacific—that road which the hon. member for Lisgar would desire to see preferred to the St. Paul and Pacific. He (Mr. Smith) had the best ground for knowing that the Northern Pacific Company had no intention whatever of building any road to Winnipeg; and he believed further that, if the Government were not to avail themselves of any fair and reasonable proposition which might now be made of getting communication there, the people of the North-West might remain five years more, as they had already remained many years, without railway communication—that was to say, until the line was completed through from Thunder Bay. He would like to have such a proposition submitted to the people of the North-West and see how they would view it. He would ask the hon. member for Marquette (Mr. Ryan) how such a proposition would be received in Manitoba. He would refer that hon. gentleman to a statement in the *Winnipeg Free Press*, of the 26th ult., which said that the people of the North-West were most anxious to have the road, and trusted the Government would make arrangements to have the railway carried there as rapidly as it could be done. They said the opposition to the proposal was attributable to motives to which he did not care to refer. He desired to reiterate the statement that he had learned from those who were interested in the completion of the road, that they had no

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desire to obtain from the Government anything but what could be justified in reason to both sides of the House.

Mr. SCHULTZ said that, from remarks which had fallen from some of the speakers, it was evident that some hon. gentlemen took the view that the persons now applying for the lease of the Pembina Branch had made great sacrifices in securing the bonds of the St. Paul and Pacific Railway, and consequently merited liberal arrangements being made with them for the Pembina Branch and that, if not given a lease on the terms they asked, they might not build the fifty-five miles of uncompleted road to St. Vincent at all, and thus put off indefinitely railroad communication with the Province. Now, he would endeavour to show the utter fallacy of these pretences. He could not say exactly the price paid by these parties for the bonds, but it was understood to be as low as ten cents on the dollar for some classes of them, and it must be remembered that these bonds carried with them a very large and very valuable land grant, and if the Pembina Branch were never completed, the transaction, in view of the large price likely to be obtained for these lands, would be a profitable one. In reference to the threat, if any such were made, not to go on with the uncompleted portion of the St. Paul and Pacific St. Vincent Branch without they had the lease of the Pembina Branch for a number of years, such a threat was the sheerest nonsense, because the land grant was a conditional one, and the parties who bought the lands must complete the road at once, or forfeit the land grant in question. It has been assumed, too, that this purchase alone could have cut the knot which occasioned the deadlock between the Amsterdam holders of the bonds and the American management of the road, but that was equally a fallacy; for, while it was true that the swindled bondholders had resolved not to complete the road while they were at the mercy of the American management, yet the Legislature of the State of Minnesota had intended, at their Session this winter, to have solved the problem by declar-

ing a forfeiture of the land grant of the uncompleted portions of the road, and given it to any new company which would have completed it. From these facts, it would be seen that the parties now seeking this lease had no right to ask any special advantage, especially when to give them that advantage would preclude the possibility of competition over the American lines, and probably shut off the advantage of lake transportation from Duluth completely, with its consequent injury to the shipping interests of the Dominion. In reference to the defence of the Kittson Red River Line by the hon. member for Selkirk, he (Mr. Schultz) was amazed to find that anyone who had been over that line should attempt to defend this most iniquitous monopoly. Had his hon. friend never seen our Ontario emigrants, who took the cheapest class of passage to save their little store of money to aid them in their efforts to make homes in the North-West, huddled like sheep and treated like hogs on the lower decks of those very steamers? Did he ever know anything but the grossest imposition on freight in passage and on extra baggage; and, while he asserted, in answer to the member for North Hastings, that he did not know what were the dividends of this monopoly last year, could he tell the House what share they got of the \$125,000 which was down in the Public Accounts as being paid to N. W. Kittson, of St. Paul, for the transportation of steel rails? Again, the hon. gentleman endeavoured to show the leniency of the line in charging only 17½c. per 100 pounds on grain transported to Fisher's Landing, forgetting to state that this was in boats which would have returned empty but for this freight. Why, did the hon. gentleman not know that this price for 300 miles of slack-water navigation was double the cost of transporting wheat across the Atlantic? Did he not know that wheat might be sent the whole length of the Mississippi for half this cost, and could be transported even from Chicago to New York for less? Enough was known about this notorious monopoly to cause the Government to pause before they granted to its owners that which they might make the means of

creating a Kittson line monopoly on land.

MR. SMITH (Selkirk) said that the hon. member for Lisgar was not one bit surprised or amazed at hearing him speak as he had done, though the hon. gentleman professed to be so surprised. He (Mr. Smith) had never spoken of or said anything with regard to the moderation of the charges in the North-West. He wished simply to compare the rates, and show what proportion was received by the Transportation Company. It was all very well for the hon. gentleman to speak of the curses of emigrants, and of what was said by people who really did not understand the position; and he might go further—which he hardly cared to do—and say that the hon. gentleman was, perhaps, very greatly instrumental himself in giving this false idea as to what had been done and received by the Transportation Company in the North-West. The hon. gentleman said that he (Mr. Smith) could point out how much of the money paid by this Government to the Transportation Company was obtained by the Hudson Bay Company. He could do more, if he cared to do it; he could show that of the sum of \$32,000 received by the hon. gentleman, said to be for loss sustained by the seizure, at Winnipeg, in the winter of 1869 and 1870, of certain goods, a portion of this amount was paid for goods which were still remaining at Georgetown in Minnesota, and which were removed thence two or three years after the payments were made. He would have no difficulty in showing and proving that such was the case.

MR. SCHULTZ: I rise to a question of order. I ask whether this is pertinent to the discussion before the Committee? I have, however, no objection to the hon. gentleman continuing on this subject if I am allowed the privilege of reply?

THE CHAIRMAN: This is not very pertinent to the discussion, I must say.

MR. SMITH said he had no desire to say anything more with regard to this long-past matter, but the hon. member for Lisgar had spoken of matters

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of which he evidently knew nothing, and made assertions in the House which he (Mr. Smith) must certainly say he would be amazed to hear if they came from any hon. member who understood the position, which he certainly must believe the hon. gentleman did not. The hon. gentleman stated that the Legislature of Minnesota had taken such action as made it imperative on some company to build this line immediately, and that this company d.d not do so, then the lands in question would fall into the hands of any other company that would build the line immediately. The hon. gentleman must know that the time up to which it was imperative on any company to do so, extended over some years yet to elapse; and he also knew he (Mr. Smith) should suppose that it would be no difficult matter for these companies to secure an extension of that power, if absolutely necessary. He really did not care to go into the different matters of which the hon. gentleman had spoken, because there was no substance in the whole of them. It was simple assertion on the hon. gentleman's part, and assertion with regard to matters of which the hon. gentleman really knew nothing. He could only repeat that the difficulty in getting control of these lines, was such as certainly would have made a very great many people hesitate before they would have had anything to do with it.

MR. SCHULTZ said that he was aware that this subject was wide of the debate before the Committee, and that he must not be unparliamentary in the denial that he must give to the hon. member for Selkirk, and he would content himself simply with commending to that hon. gentlemen the story of a gentleman in New York who, not wishing to state directly his opinion of the veracity of a person he believed to be a consummate liar, said of him: "That all he could say, was, that if he should meet him going down Broadway with Ananias and Sapphira he should take all three to belong to the same family."

MR. RYAN said that the hon. member for Selkirk had stated that the Northern Pacific Railroad had no in-



elination to complete that portion of their line from Detroit to Pembina, which would be necessary to make a competing line. It was quite evident that the hon. gentleman was not in the House when a telegram was read by the hon. member for Lisgar on this subject.

MR. SMITH: I was not.

MR. RYAN said that, for the hon. gentleman's information, he would read this telegram, which was as follows:

*"By Telegraph from our own Correspondent.*

WINNIPEG, MAN., March 7th.

"The St. Paul Pioneer Press states editorially that the purchasers of the bonds of the St. Paul and Pacific Railway are Messrs. Hill & Kittson, associated with Mr. Stephens, of the Bank of Montreal, and Mr. Donald A. Smith. It asserts that, through the influence of the latter, the support and co-operation of the Dominion Government have been obtained in the adjustment of their connections with the railway system of Manitoba."

It affirmed also:

"That they have, in fact, effected a lease, on favourable terms, of the Pembina Branch, and that this intimate alliance furnishes an ample guarantee that it will be forever free of the competition of the Chicago lines."

He desired to call the attention of the hon. member for Selkirk particularly to the following paragraph. The article concluded:

"It is deemed proper to make public these facts to disabuse antagonist parties of misapprehensions, which may lead to a useless waste of valuable time."

What was the meaning of the last paragraph? If it meant anything, it meant that there were other competing lines and other railroads which were anxious and willing to form a connection with the Pembina Branch; and when they took into consideration the circumstances which accompanied the writing of this paragraph, and reflected on the fact that it was not written in Winnipeg or Ottawa, where there might very properly be supposed to be an imperfect knowledge of all the circumstances of the case, but in St. Paul where were the parties who had the best means of knowing exactly what they were writing about, he thought the House would agree with him that there was not only reason to

suppose, but that the parties in whose interest this article was written, had had very great fears that a competing line would be built from Detroit, or some other point, to connect with the Pembina Branch.

MR. SMITH: I would give the hon. gentleman the assurance that the parties he speaks of in connection with this paragraph had nothing to do whatever with what is made to appear there. I have this on their own authority, because I brought that particular matter to their knowledge. They did not inspire it in any way.

MR. GIBBS (South Ontario): The hon. member for Lisgar asks the hon. member for Selkirk, who could not have heard the question, to what parties does he now refer?

MR. SMITH: I referred to the persons who have taken an interest in this matter in connection with the St. Paul and Pacific Road.

MR. SCHULTZ: Who are they?

SIR JOHN A. MACDONALD: The hon. gentleman says he has the authority of certain persons for making a statement, and, when asked, he will not say who they are.

MR. SMITH: I do not think it is necessary to do so.

MR. RYAN said that since the hon. member for Selkirk was in such a very gracious and explanatory mood, perhaps, he would explain the correspondence which had taken place between the hon. member for Lisgar and the authorities of the Northern Pacific Railroad, in which the former had stated that the latter had expressed themselves as not only ready but even anxious to construct a line from Detroit to Pembina. What would the effect be if the Government chose, under the provisions of this Bill, to give a lease for ten years of the Pembina Branch to the St. Paul and Pacific Railway? This would be simply to hand over the commerce of the whole North-West to, and to bind hand and foot, beyond the possibility of redemption by any effort on the part of the people of Manitoba, to the St. Paul and Pacific Railway. What did it matter to the manufac-

turers of Canada, who were desirous of getting their goods into that country, or to the people of Manitoba, who were desirous of getting their grain out of it, whether there was a railroad communicating with it or not, if the rates under the railroad tariff were not materially less than those which at present existed? And of this they could have no guarantee. The hon. member for Selkirk on this occasion, and on several other occasions, seemed to have taken a particular anxiety, to have entertained very grave doubts as to the correctness of his (Mr. Ryan) representing the sentiments of his constituents. The hon. gentleman had done him the honor to state that the *Manitoba Free Press*, which he (Mr. Smith) assumed to be a more authentic organ for the expression of the sentiments of his constituents than he (Mr. Ryan) himself was, did not hold opinions in unison with his on this subject. For the benefit of the hon. member for Selkirk and of the House, he would state exactly what his sentiments on this question were. He believed that the Government of Canada, which handed over the traffic of the North-West by making a lease for any number of years to the St. Paul and Pacific Railroad Company, without inserting some provision in the lease which would make a maximum freight rate from Winnipeg to Glynndon, would do a very serious injustice to the country; and he was prepared, as a Manitoba representative, to state that the Government would then do something which they ought not to do in the interest of Manitoba. The Government ought merely to give a running right. If they presumed to give more than a running right, and leased the road, without strictly regulating the rate for freight between Winnipeg and Glynndon, from which point they could have competition between the Northern Pacific and the St. Paul and Pacific.

MR. MACKENZIE: I think that this hon. gentleman and his colleague also, have discussed a great deal about matters which I fully explained, I believe, when they were not in the House. I might tell them that no lease, as a matter of course, will be made that

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does not entirely control the rates from Duluth.

MR. RYAN said that all he had to say was, that he was extremely thankful to the hon. member for Selkirk for the extreme anxiety which he had manifested with regard to his (Mr. Ryan's) constituents. He had to tell the hon. gentleman that he was quite prepared.

THE CHAIRMAN: That is foreign to the subject.

MR. RYAN: It is foreign to the subject, but I am only replying to what the hon. member for Selkirk did not state, but insinuated that I misrepresented the sentiments of my constituents.

MR. SMITH (Selkirk): I beg the hon. gentleman's pardon. I did not say anything particularly about his constituents; I spoke of the people of Manitoba generally. I feel, nay, I am convinced, that if the people of Manitoba are deprived of railway communication, as soon as it is practicable to get it—and I understand the hon. gentleman wishes to deprive them of it—either by way of Thunder Bay or some other route, they would not be slow in expressing their opinion, and saying they insist on having a railway to Winnipeg as soon as possible.

MR. RYAN said he did not make use of the expression attributed to him by the hon. member for Selkirk. What he did say was, that he thought it was impossible for the Government to get a connection with the Pembina branch, and handing over the whole traffic of that part of the country for the next ten years without creating an unjust monopoly. He said that in such a case it would be better to pause even for a year or two before causing such injustice. He might remark also, that with respect to this or other public questions affecting the Province from which he came, as a representative and otherwise, he would be prepared to discuss them with the hon. member for Selkirk before either of their constituents.

MR. TROW said, as a rule, it was found that members from distant Provinces worked in harmony, more particularly with regard to subjects which tended to the development of the

resources of their Province. Unfortunately, the members from Manitoba were the reverse. They were more like Kilkenny cats than anything else, and were continually quarrelling in regard to matters connected with their Province. Twelve months ago he was in harmony with the member for Marquette and the member for Lisgar, in reference to the propriety of urging upon the Government the necessity for increased communication by rail to their particular Province. These hon. gentlemen pressed this matter very strenuously upon the notice of the Government, and now that the Government were taking steps to do what they were wanting twelve months ago, they tried to place stumbling blocks in the way. The people wished immediate railway communication in order that they might obtain an outlet for the resources of that great country, and it was a matter of indifference to them what particular line was given them. The terms of the proposed lease were not stated, but every confidence might be placed in the Government who promised that when the conditions were proposed they would be rigidly enforced. No particular line was stated in the Bill, and it was intended that all lines should connect with the Pembina branch.

Mr. BOWELL said there was one point in connection with this matter which he wished the House to understand. The hon. member for Selkirk, when speaking a few moments ago, referred to some remarks which he (Mr. Bowell) had made. The hon. gentleman said he had spoken contemptuously about a few million dollars. He had no recollection of using the words "a few millions" or speaking contemptuously of any amount of money. What he did say was, that those Dutch bondholders held bonds upon this road to the amount of some \$15,000,000 or \$20,000,000, and that some parties (he mentioned no names) had purchased those bonds for what was practically a small amount. He cast no ridicule on those gentlemen, nor did he find fault with the speculation into which they had entered. But, if they did invest a few

millions, then his argument was still stronger than if it were a contemptible sum, because, the more they invested, the greater would be their anxiety to secure a lease of this road, so that the freights on the traffic for the next ten years might go into their pockets. Reference was made to the transaction in a paragraph which had already been quoted. That paragraph said: "The purchasers of the bonds of the St. Paul and Pacific Railway are Messrs. Hill & Kittson, associated with Mr. Stephens, of the Montreal Bank, and Mr. Donald A. Smith." The House, he believed, understood that to mean Mr. Donald A. Smith, member for Selkirk. This paragraph had already been read twice, and the hon. gentleman had not yet denied its accuracy. The House must, therefore, infer that the statement was correct. It mattered not to the House how much these gentlemen had paid, but, if what was stated in the paragraph was matter of fact, then they had the extraordinary spectacle in in that House of the champion of this proposed lease using his power and influence as a very humble and obedient supporter of the Government to secure to himself and his partners in this transaction the advantage of a lease. Either this was true, or it was not. He was inclined to infer its truth from the fact that the hon. gentleman had not denied a charge of this kind made twice in the House. If it were not true, one would have supposed that he would at once have disavowed any connection with this road, and shown that he was disinterested in seeking this lease. It would have been with a much better grace if the hon. gentleman had not attempted upon this occasion to raise an unseemly debate upon questions which were fully discussed, as would be found from the *Hansard*, a few years ago but confined himself exclusively to the effect which the granting of this lease would have on the trade and commerce of the country. He believed every member of the House, whether on the Ministerial side or in Opposition, had but one object in view with regard to this matter; at least he ought to have.

SIR JOHN A. MACDONALD: Except the hon. member for Selkirk.

MR. BOWELL: Except, as suggested in the paragraph which I have read, the hon. member for Selkirk, who has another object, and that is: to secure the lease which the Government ask power to grant to this company, thereby benefitting himself individually. He (Mr. Bowell) thought that equal running rights should be given to other companies over every line which Government could control, in order that they might do that which he was sure the Minister of Public Works wished to do, that was: to prevent a monopoly in the carrying trade of the North-West for ten years, or until they could build their own railroad. In the Province from which he came, and which the hon. the Premier knew well, the legislation in matters of this kind provided that equal running rights and powers be given over all roads in which Government funds were invested, or to which they lent any aid either by subsidy or otherwise. He thought the same principle should be adopted here. He did not object to a running right being given to this particular line, but he objected to such rights being confined to any one particular line, or to those gentlemen who had purchased bonds for from \$15,000,000 to \$20,000,000 for a small sum. More particularly should they guard against this when they were told in public journals, and not denied by the gentleman implicated, that a member of the House was interested in securing for himself and his partners that which outsiders only were allowed. The hon. gentleman had not denied the charge which had been made against him, and he (Mr. Bowell) thought he was perfectly justified in making the observations which he had used.

MR. SMITH (Selkirk) said he felt humble, so very humble, under the correction of the hon. member for North Hastings, but was consoled at finding that the hon. gentleman accounted him among millionaires. He (Mr. Smith) should, no doubt, be proud to think that he was so considered. He really did not know, however, why he had been attacked as he had been. The Bill now under consideration was

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merely to empower the Government to make some arrangements for the completion of the American line to Pembina, and if the agreement which must be brought before Parliament was such as the House could not approve, objection could then be taken to it; but he could not, in the present stage of the question, see the necessity for much that had been said about it. The hon. member for North Hastings and other hon. member had not yet before them sufficient information to enable them to form a correct judgment on the subject. He (Mr. Smith) had no desire to use any influence one way or the other, and did not think that anything should be done which was not perfectly just and in the interest of the country.

MR. RYAN said the Minister of Public Works was kind enough to inform him that no law would be passed without making provision as to the rate of freight between Winnipeg and Duluth. As a representative from the Province of Manitoba, he heard that declaration with a great deal of satisfaction, and although some might prefer that nothing more than a running right should be given, still, if the Government deemed it necessary to give something more than a running right, and, on the other hand, secure a favourable rate of freight between Winnipeg and Duluth, any slight demur which might have existed with regard to this point, would be in a great measure removed.

SIR JOHN A. MACDONALD said he assumed the hon. member for Selkirk had an interest in this railway—that, indeed, was admitted—and there was seen the indecent spectacle of an hon. gentleman coming to the House as an advocate and pressing this lease in his own interest. When the hon. member for Lisgar rose, in the interests of the people of Manitoba, to make a statement, the hon. member for Selkirk tried to throw a doubt across the floor of the House as to the veracity of the hon. gentleman. He, as an interested party, impugned the accuracy of a disinterested party; he advocated more warmly and strongly this Bill, which was in his own interest, and which would put money in his own pocket,

than the Minister who introduced it. The hon. gentleman admitted he was a partner in this concern, and the House should know something about it.

MR. SMITH: I beg the right hon. gentleman's pardon. I have admitted no such thing; the hon. gentleman, I hope, is not my father confessor?

SIR JOHN A. MACDONALD: The hon. gentleman has not denied it, and there is no doubt that, if he could have done so, he would. A little while ago he denied positively that he had any interest in the Kittson line, because he could say so, but he does not deny that he has an interest in the St. Paul line.

MR. SMITH: Because it is not necessary.

SIR JOHN A. MACDONALD: The hon. gentleman has no right to interrupt me. He says it is not necessary to explain; I say it is. He knows that no man who has an interest in a measure has a right to advocate it. Perhaps, by-and-bye, his right to vote will be challenged on that ground.

MR. MACKENZIE: On this Bill? Does the hon. gentleman mean to say that anyone is precluded from voting on this Bill?

SIR JOHN A. MACDONALD said the hon. the Premier had agreed to provide in this Bill that the contract must be approved by Parliament, and the hon. gentleman would then be in a position—if he was here—to say whether he had an interest in this line or not, and, if he had an interest, he could not vote upon it. But the paragraph went on to say:

"It affirms, also, that they have, in fact, effected a lease on favourable terms, of the Pembina Branch, and that the intimate alliance furnishes an ample guarantee that it will be forever free of the competition of the Chicago line."

The article concludes:

"It is deemed proper to make public these facts to disabuse antagonist parties of misapprehensions which may lead to a waste of valuable time."

They were informed by the Premier that negotiations had been going on, but he did not tell the House how far. If the terms had been substantially arranged, if there was an understanding of any kind arrived at, it was the

duty of the hon. the Premier to have informed the House of the facts before asking them to vote. It was neither right nor just that the hon. member for Selkirk should be allowed to advocate this lease. The hon. member for Selkirk stated that the hon. member for Lisgar was mistaken when he said the directors of the Northern Pacific road were ready to go into this matter. The hon. member for Lisgar said he had a statement in writing to the effect that the directors of the Northern Pacific road were ready to offer for the contract, if permitted. The hon. gentleman had also quoted a statement to the effect that the Wisconsin Railway Company also was prepared to go into the matter. The arguments used by his hon. friend from Lisgar and Marquette were unanswerable when they said it was unadvisable that one line should have a monopoly of the traffic for ten years. He considered that to give such a monopoly was not only an injustice, but a fraudulent measure. The article which had been so often quoted was printed because it was deemed proper to disabuse antagonistic parties of misapprehension, and thus save valuable time. The hon. gentleman said it was not necessary for him to reply to the question which had been put to him. He (Sir John A. Macdonald) thought it was desirable to do so, because this article seemed to say, in behalf of the bondholders of the St. Paul line: "We have made a bargain; we have got ahead of you; do not throw away valuable time; we have a monopoly for ten years." He did not believe that the Committee or Parliament or the country would sustain such conduct.

MR. SMITH said he considered it very unseemly and very improper of the right hon. gentleman to speak of any member in that House as he had done of him. The right hon. gentleman had no right to call upon him in that way; he had no right to charge him with being unable to deny what had been said regarding his supposed connection with the St. Paul Railway. He believed his word was as good, and would be as readily accepted as that of the right hon. gentleman, though he did hold a very high position.

MR. KIRKPATRICK: You have not given it.

SIR JOHN A. MACDONALD: I have not impugned the hon. gentleman's word; my complaint is that he will not give it.

MR. SMITH said it was neither necessary nor desirable to satisfy the right hon. gentleman's curiosity. Just one word as to what had been said about the Northern Pacific Railway Company. He did not, in making his previous remarks, speak lightly. He had it on the written authority of the President of that road that the directors had no intention of continuing their road to Pembina or St. Vincent. With regard to voting, he trusted he knew his duty, and could maintain his honour just as well as the right hon. gentleman. It would be quite time enough for him to presume to speak as he had done, when he found that he (Mr. Smith) was guilty of anything of which he ought to be ashamed.

SIR JOHN A. MACDONALD: It is quite as indecent for the hon. gentleman to advocate a scheme in which he is interested, as it would be for him to vote.

MR. SMITH: I advocate no scheme, but support a Bill which makes no reference to any individual or any particular company. I have merely spoken on the necessity for establishing railway communication with Manitoba as soon as possible, and in doing so, I am confident that I but express the views of my constituents and the people of that Province generally.

MR. WHITE (East Hastings) said this was a serious matter for the House to take into consideration. In the first place, an hon. member was accused of being interested in the proposed lease, and on being asked by the hon. member for Kingston to deny that statement, he said: "The people of this country will judge of my word, and accept it as readily as they would that of the hon. member for Kingston." There seemed to be a party in the House—a very prominent party—who cared more for the Hudson Bay Company, the Montreal Bank, and private matters, than for the interests of the people of Manitoba; and yet one of these gen-

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tleman replied to a charge made against him by standing up and saying: "My word will be taken before your word." No one would believe that the hon. member for Selkirk cared as much for the interests of the country generally as he did for his own pocket. Perhaps that was not exactly a Parliamentary expression.

THE CHAIRMAN: It is certainly not pertinent to the subject.

MR. YOUNG: I rise to a question of order. I would like to know what is the question before the Chair. I think the hon. gentleman has not been speaking to the question at all, and I desire your ruling on the point.

SIR JOHN A. MACDONALD: I rise to speak on the question of order. The hon. member for Waterloo rises to a question of order, and, at the same time, asks what is before the Chair. That seems to me to be nothing but an unparliamentary interruption.

MR. YOUNG said the hon. gentleman was quite out of order in the remarks he had made. He thought he had sufficiently indicated that what the hon. gentleman was saying had no connection with the subject under discussion, and, therefore, was out of order. He wished the ruling of the Chairman on that point.

MR. WHITE said the hon. member for Waterloo ought to be Speaker of the House. He (Mr. White) ought not, perhaps, to have made use of the expression "pocket," in the sense he did; he meant that the hon. member for Selkirk was an interested party.

MR. YOUNG: I rise again to ask if the hon. gentleman is in order in not speaking to the Bill?

MR. WHITE: What right have you to ask?

MR. YOUNG: I should like to hear your opinion, Mr. Chairman.

THE CHAIRMAN (Mr. Devlin): It is extremely difficult to say he is not in order, because he refers to the subject matter of the Bill, though he may perhaps introduce some matter rather outside of it.

MR. WHITE: Thank you; I am proud there is a fellow-countryman of mine in the Chair, to do justice.

MR. YOUNG: Perhaps that accounts for the decision.

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

### After Recess.

MR. WHITE said this Bill was a very short one and a very important one. It was one in which the people of this country, and especially the people of Manitoba, would certainly take a great deal of interest. We were encouraging people from England, Ireland, Scotland and other countries to go to Manitoba; we told these people that it was a fine country, and that they could certainly raise a great deal of grain to sell. But the great trouble was how they could get the produce out of the country to market. We told them that we were building a line from Winnipeg to the frontier; and now the House was asked to pass a Bill to lease that road for ten years to a company, which was going to build a piece of railway to connect with this road. It was said in the Bill that the Government was to place the contract or agreement upon the table of Parliament, and if no objection was taken to it for a specified length of time, it would become law. If it was true that the hon. member for Selkirk (Mr. Smith), who held a very prominent position in the House, who was a director of the Bank of Montreal, and he (Mr. White) believed a prominent officer of the Hudson Bay Company, was interested in this matter, with his influence, with the influence of the Bank of Montreal, the influence of the Government; and, perhaps, also, of some of the members of the Opposition, what would be the use of any members of this House attempting to prevent that contract becoming law? The hon. the First Minister had promised that the contract would be guarded in such a way that parties living in Manitoba would have a fair rate fixed for freight brought over that road. Why, he would ask, when we got that road ready for

use at the expense of the country, did we not hold it in our own hands, and let all parties compete over it so as to make cheap freights? He thought the First Minister should bear in mind that he held a very peculiar position in this country. He knew what the farmers wanted, and what the mechanics wanted, because he (Mr. Mackenzie) was a mechanic himself, and he knew what the business men of this country required; but this Bill was not in the interests of the country. When they went to the country soon, surely after carrying the last election as they did by the aid of the Ontario Bank, the Government did not want the powerful influence of the Bank of Montreal to assist them. It seemed that the Bank of Montreal was to furnish the funds and get the lease, and have the control of this matter; and that bank was a powerful influence in this country. He hoped the Bill would not pass without amendments being made which would render it acceptable to the people of this country. In conclusion, he would ask the First Minister, though, perhaps he might not answer, if there was not an understanding now with certain parties, including the Bank of Montreal, that they were to obtain the lease of this road?

MR. MACKENZIE said that he had already stated, on two or three occasions, that the Government had been negotiating with this company in reference to the terms of the lease, but they had not agreed to any terms as yet; and if an agreement was come to, it would be brought before the House for approval.

MR. JONES (South Leeds) contended that running powers should be given to other companies over the Pembina Branch Railway.

MR. NORRIS said he thought it was generally admitted by both parties that railway communication with Manitoba should be brought about at the earliest possible moment. So far as they had any knowledge, there was only one way to obtain that communication immediately, and that was to get this American company, if they were to be so called, to make a connection with our own road at Pembina. That was the only means by which the

people of Manitoba could have access to the markets of the world at the present time; and it was better to give privileges to a company to build a road 60 or 70 miles long, than it was to leave that great country without communication for some time to come. He thought the explanations of the hon. the Premier in relation to the arrangements to be made to prevent discriminating tariffs on the railway, were perfectly satisfactory. He was glad to learn from the Premier that the construction of this road would not retard the construction of the main line from Lake Superior to Winnipeg, but that it would be pushed to completion as rapidly as possible.

MR. TUPPER said he deemed it unfortunate that the hon. the First Minister had thought it necessary to proceed with this Bill before his general statement in regard to the Pacific Railway was before the House. It was very difficult to proceed with this matter until the House had the opportunity of hearing the Premier's statement in relation to the Pacific Railway. It appeared, however, that the present moment was the best for dealing with the question outside of its immediate relation to the lease which the Government might propose to give to any parties with whom they might now be negotiating. The difficulty which he had in connection with the matter was the unfortunate position in which the Government would find itself placed in two important particulars. In the first place, what he (Mr. Tupper) had anticipated from the commencement, was likely to occur in the construction of the Pembina Branch of the Pacific Railway, and that was, that in a country where the difficulty was at present to find a profitable traffic for one line, the Government were going to have two competing lines. That was the first and great difficulty that appeared at the outset. The Government had undertaken the construction of a direct line of railway from the shores of Lake Superior to the Red River. It was a very great and serious undertaking, involving the expenditure, even in the most economical manner in which it could be made, of a large amount of

public money—an undertaking so serious that, after having put 228 miles of this railway under construction, the Government was obliged to pause here, leaving to the somewhat remote future, the construction of the 120 miles, the intermediate link, which was necessary to make the other part, which was already far advanced in construction, of any value whatever. Now, if it were true, as stated by a member of the Government in the other branch of Parliament, that they could not hope to construct that intervening link for five or six years; if that were the policy of the Government, if they had arrived at the conclusion that the present condition of things rendered that necessary, it seemed to be essential in the meantime to get some means, such as this, by which more rapid and more easy communication could be obtained with the North-West. He was concerned to learn the character of this measure, because it was not only a question of competing lines, but, as it appeared to him, of competition between Canadian and American interests. The line to Duluth would be a competing line, and he confessed that he had been in hope that the intention of the Government was to connect with the Northern Pacific Railway line to Duluth; because, although that would be as closely a competing line as that at present contemplated, it would be a line which would give Canadians an opportunity to compete with the traffic of the North-West, a line calculated to bring the traffic of that country through our own country, and to create and promote and foster an inter-provincial trade between the old Provinces of Canada and the North-West, which could not be over-rated. He regretted that he had not an opportunity of hearing the explanation of the hon. the First Minister in submitting this measure; he understood, however, that the intention was not to connect with the Northern Pacific Railway at Duluth, but to make a connection with St. Paul by another and a different line, the effect of which would be that the traffic of this great country would be carried over American lines. That, he thought, formed a very serious objection to this measure. In the

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meantime, if the Government were not prepared to push through our own line from the shores of Lake Superior rapidly, so as to give communication in that way at a very early day, he feared they must all concur, however great might be the difficulties felt in sustaining the Government policy, to give to the people of the North-West direct and rapid communication by rail. The question had been raised that facilities should be given to other railway companies for running over the road. He saw very great difficulty in accomplishing that. He could imagine that the Government would be glad to do that if it did not frustrate the scheme altogether. But the difficulty had been to get a scheme at all. The attempt to get a road by way of Pembina failed, and unless some strong inducements and advantages were given to the company to make the connection, the probability was that the people of the North-West would be left without that communication. The question, no doubt, was surrounded by many difficulties; but the discussion would come better before the House when the lease was brought down. He was sorry to hear it was necessary to extend the lease for 10 years, because it would be virtually a monopoly. It would not be an uncontrolled monopoly, because the Government would have the power to establish the rates and make other provisions in the lease. But it would be a monopoly, and he thought it was very unfortunate if it were necessary that, with the work so far advanced from the shores of Lake Superior to the Red River, it should be found requisite to grant a 10 years' lease to a line which would be a very formidable competitor of our own line of railway, the difficulty of working which was sufficiently great without any competition.

MR. MACKENZIE said the hon. gentleman would remember that the project of building the Pembina Branch was that of his own Government, which provided that it should be built first of all. The present Government had agreed with their predecessors as to the necessity of having that built. Accordingly, during the year

1874-5, contracts were given out, and the greater portion of the road was graded at that time. It was a matter of indifference to him, and to the Government, what company that should be. It was only when Mr. Stephens came to him as representing the reorganized St. Paul and Pacific Railway Company, that he obtained any proposal whatever. He could not hesitate, and he did not hesitate, to enter into negotiations with Mr. Stephens. These negotiations had not committed either party, at this moment, to any distinct scheme, except this condition: that the term should not, in any case, exceed ten years. Various memoranda had been drawn up by himself, containing proposals which would, in his opinion, be an absolute necessity in any lease or any running arrangement or bargain which might be made, but none of those proposals had been submitted to the other party up to the present. He proposed to do the best he could in the interests of his country, if the best could be done with this company. His impression was that there could be no difficulty in making such arrangements as would be fair. Those arrangements must of necessity control the traffic of the road to the nearest lake port, Duluth, upon such terms as would secure to Canadian traffic the best terms obtainable at present from roads in that part of the country. Whatever proposals might be made, they must, as a matter of necessity, be submitted to and approved by Parliament before they could go into operation. With regard to another remark of the hon. gentleman, he would say a few words. The hon. gentleman had deplored the intelligence that it was likely to be five or more years before the main line could be built. He was sure the hon. gentleman knew that the pamphlet which had been distributed by thousands by the Conservative party had denounced the Government in the most unmeasured terms for spending money at all upon the railway from Lake Superior to Red River.

MR. MITCHELL: Whose pamphlet?

MR. MACKENZIE: Senator Macpherson's. They had been denounced in that pamphlet for spending any

money upon the road; they had been denounced in the House to-day, because they had not spent enough on it. In one quarter they were blamed for going too fast; in another, because they went too slow. He had pointed out long ago that, in undertaking these initial operations, they were merely undertaking such contracts as would enable them to proceed in the quarter where it was most likely a railroad speedily built would be required, while the surveys were being prosecuted in the other and more difficult portions of the country. He had stated long ago in this House, in discussing the matter, that it was the intention of the Government, as soon as the surveys were completed, and the line located, to invite tenders, under the terms of the Act of 1874; and, under the terms of that Act, the money expended upon 228 miles now under contract, and, to a great extent, finished, would be deducted from the contractors as part of the \$10,000 per mile which the Act provided to be paid as a cash subsidy. They were unwilling to proceed with the 185 miles required to connect the two lines under contract, hoping to embrace them under one general contract, which they hoped to be able to lay before Parliament next Session. It was for this they had not asked to place those 185 miles under contract; they hoped to be able to build, to a great extent, with the lands to be given under the terms of the General Railway Act. It was their policy, and he had yet to learn that it was not a wise policy, to build those initial portions, while necessarily waiting for the completion of the surveys over the entire line. These were now completed, and it would be competent for the Government very soon to invite tenders to be submitted to Parliament for sanction at the next Session. It was exceedingly inconvenient, to some extent, to be obliged to thus speak as to the general policy of the Government in connection with the building of the entire line. He only did so to the extent necessary to explain the present position. This was their position, and they could not possibly effect a junction with the Minnesota lines unless they had power to

make an arrangement with these lines. If Parliament thought it wise to reject all proposals of this kind, to make no arrangement with any road, nor to take any of the steps necessary to obtain access to that country, or to find egress for its productions—let that course be followed. But the Government believed it was absolutely essential this should be done. The sooner a very large population was thrown into the North-West, the sooner were they likely to have the main line completed from end to end. As soon as they afforded opportunities to settlers to go in, and for their products to go out, even through a foreign country, the sooner would they be in a position to have their own line completed and in operation. The property was their own; no arrangement with the companies could possibly affect their right to the absolute control of their own property. If arrangements should be made for ten years, it would be possible to terminate that arrangement at any time it suited the Government to do so. Of course, if damage was thereby done to the parties with whom the agreement was made, they would be compelled, to that extent, to reimburse those parties. It had always been his firm conviction that, instead of this policy of delaying the construction of the line from Selkirk eastwards, it would greatly facilitate it. They would have access to the country during the summer months much earlier than if they endeavoured to seal up the country and afford no facilities for its people to go in or the products to get out. The road from Minnesota could never compete with their own when built, which would be superior to any road in Minnesota at the present time. It would pass through an apparently poor country, but one which afforded reasonable facilities for good grades and for carrying products very cheaply over it. The road would be far superior in that respect even to the New York Central, and many others which had an enormous traffic. He would be recreant to his duty as a Minister of Public Works, and as a member of the Government, if he failed to recognize the position, and to take the authority from Parliament which he now sought,

MR. MACKENZIE.

to make such arrangements as might be necessary for the improvement of that country by railroad facilities.

Mr. TUPPER said he had been four years endeavouring to make the hon. the First Minister comprehend one of the simplest, plainest, and most obvious propositions that it was possible to put before an intelligent mind, and he found, after his four years' labour, that he had totally failed in making the hon. gentleman comprehend the proposition. What was the proposition? The hon. gentleman had said that, in the course he was pursuing, he simply adopted the policy of his predecessors. He (Mr. Tupper) contended they never had such a policy. The late Government had never assumed the construction of the Pembina Branch at all. What was the condition of things then? It was as different from the condition of things under the *regime* of the hon. the Premier as it was possible for any person to conceive. At the time that the late Government entered into a contract and made an arrangement with a private company for the construction of the railway to Pembina, what were the facts? At that time, a powerful company, apparently with abundant means, was pushing rapidly a line of railway to the borders of Manitoba, at Pembina. That was the position. The then Government proposed to make an arrangement with the company to build a line of railway nearly three thousand miles long from Nipissing to the shores of the Pacific, to Vancouver Island. That was the proposition. That was the contract they were making which these parties, for certain aid to be obtained from the Government in lands and money, were bound to carry out. He would ask whether, in connection with that gigantic work, giving to that company the right to construct this branch as a part of their work, instead of having it constructed by parties who were not connected with themselves, was a policy like the one proposed by the hon. the Minister of Public Works? The objection to his policy was that he, representing the Government of Canada, was constructing two competing lines of railway. The proposal of the late Government was to protect the great country, which was bound

to construct three thousand miles of railway, from having this a competing line to themselves. That was the proposal; just as different a proposal as it was possible to conceive. They felt that, at the time, when there was a road being constructed rapidly, to run to within seventy miles of the town of Winnipeg, to the borders of the Province, it would be a great injustice to the parties who were to build the road from Nipissing to the shores of the Pacific, to allow a competing company to run between the border and the town of Winnipeg; consequently, they were entitled, under the Act, to claim that connection as their own. In constructing, as they were bound to construct, in a very short period of time, the through line of the Canadian Pacific Railway, it would be a great advantage to them to put in operation, as rapidly as possible, this connecting branch from Pembina to Winnipeg. He was not discriminating or questioning the right of hon. gentlemen, under the circumstances, to take this action. But, he said the circumstances were almost diametrically opposite. He must answer the hon. gentleman's attack upon the policy propounded by Senator Macpherson. He (Mr. Tupper) maintained that policy was a sound one; that there was no inconsistency whatever in his saying to the Government, that they had committed themselves to an enormous expenditure of public money in putting under contract, and nearly completing 208 miles between the shores of Lake Superior and Red River; and having done that, the true policy would have been, not only to push it rapidly forward, but to have the intervening link constructed. The building of the 228 miles would be utterly useless, without the construction of the 180 miles; not only useless, but, according to Senator Macpherson, before the intervening road would be built, before a ton of freight or a hundred passengers would use the 228 miles already built, the portions they were building would have rotted away. They were building a wooden road; on the trestles they were using an enormous quantity of perishable material.

**MR. MACKENZIE :** Very little.

**MR. TUPPER :** Let the hon. gentleman look at the specification in which he would find in 35 miles half a million dollars expended for wood; bridges over ravines, 300 feet wide and 40 feet deep, built on trestles. Every person who knew anything of the construction of a railway, and especially with materials of such as this trestle work was being constructed, knew that by the time this lease was completed, they would have to rebuild this trestle work. It would be rotted; no locomotive could pass over it. The Northern Pacific Railway had their road to Red River and a branch to 55 miles of the border. It would have been better to build that fifty-five miles upon the territory with Canadian money, and make that connection, so that by the existing road from Duluth, immediate travel and traffic would have been created from and to the North-West, and not construct a road in the wild, impassable and unfertile country between the shores of Lake Superior and the Red River, on the line in which they were now carrying the railway. That policy would have been sound. But it was altogether a different one from building 228 miles, and then leaving an intervening portion, which prevented them from using a single mile of the road they had constructed. The policy which Senator Macpherson had propounded, was one which would commend itself to a great many of the people of this country: that, in the position in which the Government found themselves, the difficulty of obtaining money, it would have been wise to husband their resources, and having built the road from Duluth to Pembina, then to push the road across the prairie, where every mile constructed would be opening the country, and doing that which must be done as the very basis of the Canadian Pacific Railway, namely, filling up the country with settlers and emigrants. He hoped this last effort of his would convince the hon. Minister of Public Works that there was no inconsistency in the policy then proposed and the one they were now urging, and in which, he maintained, that the Govern-

**MR. TUPPER.**

ment, having built 228 miles, ought to build the intervening 180 miles. There was no inconsistency in that policy, and in holding, at the same time, that it would have been sound policy not to have touched a mile of that road.

**MR. SCHULTZ** asked whether the Premier, in his explanation that the shipping interest would be protected by a tariff of freight being fixed in the lease, meant this to apply only to the Pembina Branch?

**MR. MACKENZIE** said that it was intended to make the tariff extend to Lake Superior.

**MR. SCHULTZ** said that this measure of securities was impossible, in view of the fact that the Saint Paul and Pacific Railroad, in whose interest the lease was sought, did not run within 180 miles of Lake Superior, and that the only road which did run there was the Northern Pacific, an antagonistic and rival line, and over whose charges the Saint Paul and Pacific might fairly be presumed to have no control. If the telegram which he had read to the House, when first speaking on this matter, meant anything at all, it meant that this lease arrangement would put the Saint Paul and Pacific Railroad in a position to send all the freight of the North-West by the all-rail route, and cut off completely the chances of lake carriage; and he repeated again that the only way in which the interests of the North-West could be served in this matter, was to have insured the Pembina Branch and then left it free for a connection with any and every railroad which chose to connect and compete for the traffic of the great North-West. In reference to the discussion as to the late Government being anxious to complete early this Pembina Branch, he must say that much might have been done by the present Government had they completed it before. For nearly two years the grading had been completed upon it, and for over a year the rails lay rusting on the banks; and when a deputation, consisting of nearly all of the members of the Commons and Senate from the Province of Manitoba, waited on the Premier, a year ago, to urge the completion of the Branch,

and showed him that, this done, the Manitoba importers and shippers could transport in waggons over the 55 miles miles of break at a less cost than by the Kittson line. Yet this request was refused, and the next that was heard was that the extension of the Pembina Branch in Selkirk was decided upon, and that portion of the line completed, which could benefit no one but the contractor of Section 15. In reference to the break of 180 miles in the main line to Lake Superior, if the Pembina Branch was now to be leased to a monopoly, it would have been better to have spent the money which had been, and was now being spent on the 90 miles of the Pembina Branch, on the break in the main line, when, the distance being only twice as great, presumably twice the expenditure of money would have completed the break in the main line of the Canada Pacific to Thunder Bay, and solved the problem of the cheap transportation to the seaboard of the products of the North-West.

SIR JOHN A. MACDONALD said it appeared from the statement of the hon. the First Minister that the terms of the lease had not yet been settled. It was well known that Parliament would be prorogued within three or four weeks. There was no necessity for the Bill just now. The arrangement had not yet been determined, and could not be before the House rose. It was, moreover, impossible that the Premier, in view of his other duties, could satisfactorily settle the terms of the lease during the remainder of the Session. The whole matter should be allowed to lay over for another Session. He hoped the lease would be brought down, so that hon. members might understand its terms, and an Act could subsequently be passed confirming it.

Mr. BOWELL said that, with regard to any arrangement for through freights from Winnipeg to Duluth and St. Paul, it was not possible to make it, because the railroads were rivals from the junction at Glyndon, the one road running to Duluth and the other to St. Paul. If the Government would take the precaution to fix a maximum rate of freight from Winnipeg to Pem-

bina, and from Pembina to Glyndon, he could then understand how an advantage would be offered to parties having freight to transport, because, having arrived at that point, the freight could be sent either by the Northern Pacific to Duluth and by water eastward, or by the St. Paul and Pacific road to St. Paul. If that point were provided for in the lease, it would be a protection to those having freight to send eastward; but, if it were not, then monopoly would be given to the parties who had purchased the St. Paul and Pacific road, with whom it was proposed the Canadian Government should enter into a lease, after the company had built what was termed the missing link. He presumed that was what the Government intended to do. The lease should be submitted to the House as soon as possible, in order that hon. members might fully understand the terms upon which the Government intended to enter into a lease with that company.

MR. MCCALLUM said there was much force in the remarks of the right hon. member for Kingston on that important question, for the proposal of the Government, if adopted, might lay an embargo on the trade of the North-West for ten years. He desired to ask the hon. the Premier when he intended to submit the lease to the House, because hon. members should be allowed time to consider it and see what were its terms. The lease should not grant a monopoly of the road for a larger period than would be occupied in completing the Pacific Railway from Thunder Bay to Winnipeg, because, if they gave the company a lease for ten years, they would have control of the road from Pembina to Winnipeg, and, therefore, it would be taking away travel from our own Pacific Railway. He looked with suspicion on the proposal. He observed the hon. member for Selkirk took great interest in the matter, and had made an explanation which was not very creditable to him. He had also heard the hon. member for Queen's (Mr. Ferris), on a former occasion, telling the hon. the Premier, with the pistol at his head, like Crockett's coon, "If you don't come

down, I'll shoot. Give us old rails enough to build the New Brunswick Central Railway, or off goes your political head." Such proceedings were not desirable in the interests of the country.

Bill ordered to be reported.

House resumed.

Bill reported.

AUDITING OF THE PUBLIC ACCOUNTS  
BILL.—[BILL No. 53.]

CONSIDERED IN COMMITTEE.

House resolved itself into Committee on Bill No. 53. For the better auditing of the Public Accounts.

(In the Committee.)

MR. CARTWRIGHT: I may generally state that the first ten sections are transcripts from the old Act, with the exception of the alterations which I pointed out in the first place.

On the 4th clause,

SIR JOHN A. MACDONALD said it was a matter of doubt whether they had power to pass this clause, which provided that:

"No officer or person regularly employed in the collection or management of the Revenue, or in accounting for the same shall, while he remains such officer or so employed, be compelled to serve in any public office or in any municipal or local office, or on any jury or inquest, or in the militia."

This, he thought, would interfere with the powers of the Local Legislatures.

MR. CARTWRIGHT: This is a transcript from the Act of December, 1867. If the hon. gentleman will state his grounds, I will call the attention of the hon. the Minister of Justice and other legal authorities to it.

SIR JOHN A. MACDONALD: I take it that this clause was copied from the previous Act, and, perhaps, the Imperial Act; but the hon. gentleman will see that this will interfere with the jurisdiction of the Local Legislatures, which may pass an Act to compel these officers to serve with respect to local offices.

MR. CARTWRIGHT: That, of course, raises the question of conflicting jurisdiction. I have taken a note of it, and I will call the attention of the Minister of Justice to it.

MR. MCCALLUM.

On the 11th clause,

MR. CARTWRIGHT said it was completely new. He proposed to insert in it the resolution fixing the salary at \$3,200.

MR. MITCHELL: Is there any nigger in the fence in this Bill that we do not see? I have heard it said there is, but, of course, I do not believe it.

MR. CARTWRIGHT: There is none, whatever.

MR. MITCHELL: There is something under this Bill that no fellow can understand.

MR. CARTWRIGHT: We hope to make it clear as we proceed. I propose to change the phraseology, and to make the salary one of \$3,200, in lieu of "not to exceed \$3,200."

SIR JOHN A. MACDONALD: Quite right. He is a judicial officer, and should be independent of the Government.

On the 12th Section,

MR. CARTWRIGHT said that here he had adopted the English form.

MR. MITCHELL: This Bill gives us another Governor.

MR. CARTWRIGHT: It gives the Minister of Finance and not the House a Governor; I am inclined to think; he will be an officer, and especially the servant of the House.

MR. TUPPER: What are the powers and responsibilities of this officer?

MR. CARTWRIGHT: His duties are particularly defined in clauses 29 and 35 inclusive, and also in clauses 35 and 42 or 43 inclusive. Generally, I may say that his special function will be to examine the accounts and vouchers, and in case there are any deficiencies in the appropriation accounts of any sums which he thinks are not properly vouched for, or any expenditures which are not authorized in his opinion, he must report to Parliament, independent of the Finance Minister of the day, in case cause is shown.

MR. TUPPER: Then, if an account is transmitted to the auditor for payment, in the first place his imprimatur is necessary to the payment of any public money.

**MR. CARTWRIGHT:** Except in special cases hereinafter provided for. In certain cases he may be overridden by the Minister of Finance, but in all these cases it is the duty of the auditor to call the special attention of Parliament to it by a special report, for which provision is made, enabling him to make it independent of the Government.

**MR. TUPPER:** The difficulty that appears to present itself to my mind is this: you are professing to give the public the security of an independent Parliamentary officer. But who is to see before the payment of public money to the auditing of the account, and to ascertain that under the law it is entitled to be paid, and that the vouchers are correct. If you leave the Government power to override his decision and pay the money, what then is gained by this Bill?

**MR. CARTWRIGHT:** This is allowed only in certain cases which must be specially reported to Parliament.

On section 15,

**MR. CARTWRIGHT** said that it was in part copied from the Imperial Act, section 9, with the difference that two lines had been omitted. These were in the Imperial Act after the words "the Auditor-General shall have full power to make, from time to time, orders and rules for the conduct of the internal business of his office"—"and promote or suspend or remove any of the officers, clerks or others employed there." These latter words had been omitted, though it might be a fair matter for discussion whether the Imperial Act should not, in this respect, be followed.

**MR. BLAKE** said he was strongly of opinion that this provision ought to be inserted. What they wanted was a perfectly independent Auditor, and to be so he should have this power, else they would cripple his efficiency. The Government had the power of appointment of the officers given by a prior clause, which he did not propose to disturb, but it did seem to him that the power of promoting or of recommending promotion, of course according to the rules of the Civil Service, or

of suspending, ought to rest with this new Parliamentary officer, in order to enable him to be efficient. The reasons given for this variation in the case of the English Auditor, also applied to the case of this officer.

**MR. TUPPER:** The Governor in Council is given the power to appoint the officers.

**MR. BLAKE:** I am speaking of clause 15, which should give the power to promote, suspend or remove. I think that my hon. friend has not improved the clause by omitting these words.

**MR. MITCHELL** said he did not agree with the hon. member for South Bruce. He thought that they were giving this officer enough, and enormous power, for he would stand next to the Governor of the country in regard to the powers he would possess under this Bill. He would not allow these officers to be removed by the Auditor, on whom there might be a check in his own office. The Parliament was a check on the Government of the day, and there was no reason why Parliament should not have a check on this officer, by making officers appointed by the Government part of his staff. They might, however, give the Auditor power to make representations to the Government for the removal of officers, for reasons satisfactory to the Governor in Council.

**MR. BLAKE** said he did not propose to give the Auditor power of appointment, which was conferred, by the 13th clause, on the Governor in Council. This did not exist, so far as he could remember, in any Act—but the power of promoting or suspending or removing; and if he removed officers, the Governor in Council would appoint the successors. Of course the Auditor, no more than the Governor in Council, would remove except for cause. The present clause gave Parliament no additional control over the Auditor. He wished to secure a parliamentary officer, who should have hands with which to do his work, free, to some extent, from the control of the Government of the day.

**MR. MITCHELL** said he again differed with his hon. friend. He held

that, under this clause, Parliament did get additional power. The Government of the day was responsible to Parliament, and reliable to removal, by a vote of the House, at any moment; by this Bill, they could not remove the Auditor without cause, and, therefore, this officer should not have the power of removing or promoting these officers. The Auditor, on the one hand, should be independent; but, on the other hand, the Government should have the power to control the Auditor through Parliament.

MR. TUPPER said that they ought not to lose sight of the fact that they were dealing with a somewhat new question. They were appointing a Parliamentary officer in contradistinction to an executive officer. The whole scope of this legislation was to give Parliament control in contradistinction to the Government. He agreed with the hon. member for South Bruce that the principle of the English Act should be adopted, as far as possible, so that the officer appointed as auditor might be independent of the Government of the day, so that he might act without being controlled, as he would be, if the Government of the day had the power to remove or suspend him.

MR. MITCHELL differed from his hon. friend the member for Cumberland, for while he desired the Auditor to be perfectly independent of the Government, and that he should be removable only by Address from both Houses of Parliament, he could not agree to the appointment of any official over whom no control could be exercised.

MR. PLUMB said that, in order to discharge his functions properly, the Auditor should be perfectly independent of Parliament. Under the Imperial Act, an auditor had control over his own subordinates, and he (Mr. Plumb) agreed with the proposal of the hon. member for South Bruce.

MR. MITCHELL said he did not contend that the Auditor should not have control over his own offices; what he did contend was that he should not have greater powers than other officers of the same standing. When, therefore, an official in the Auditor's Depart-

ment misconducted himself, he should be removable only by the Government of the day, to whom the facts of the case would be reported. Some hon. gentlemen were continually stating that the English Act said this or that; but, for his part, he would not follow the principle of English legislation unless it was applicable to the people of this country.

MR. CARTWRIGHT said that after the suggestions which had been made, he proposed, in the meantime, to add to the 15th Section, "and to promote, suspend or remove any officers, clerks and others employed therein."

MR. MITCHELL: These are the words I object to.

Section agreed to.

On section 29,

MR. LANGEVIN said this clause, the 29th, gave to the officer power to draw the money from the bank and use it for his own purpose, for speculation or otherwise. There should be no temptation of this kind thrown in the way of any officer.

MR. BLAKE said the duties of the Auditor-General were two-fold. First, he kept a check on the money going out of the Treasury to the officers distributing the public moneys. He had nothing to do with the manner in which these officers dealt with the funds handed to them; after the funds were expended, they brought forward their vouchers, and he dealt with the sufficiency of those vouchers.

SIR JOHN A. MACDONALD said this was introducing a new practice, assimilating it to the English one. In his time, when a large appropriation was voted, the Minister, in whose Department the expenditure would be made, did not draw the money, but obtained an Order in Council for these purposes. In this clause, on the signature of anyone in the Treasury Board, the whole amount could be appropriated.

MR. CARTWRIGHT: That was only done on the sign manual of the Governor-General.

SIR JOHN A. MACDONALD: It does not provide under whose authority the sign manual is obtained.

MR. MITCHELL.



MR. BLAKE said the 29th section simply provided it should be lawful for the Governor-General to authorize the Minister of Finance to make the issue out of public money. The 30th section then came into operation, providing that the Auditor-General should, from time to time, make application to the Finance Minister for money to be issued to the distributing officers.

MR. TUPPER said the 29th section authorized the Minister of Finance to issue out of the moneys appropriated to defray expenses of public services such sums as might be required, from time to time, to defray such expenses. Why take out the money before the service was done? The money should be paid only as the work was done on producing vouchers to the Auditor-General.

MR. CARTWRIGHT said the system of granting credits had always existed; whether legally or illegally, he was not prepared to say. This had reference to particular circumstances. For instance, in negotiating an Indian treaty, it was necessary to place a considerable sum in the hands of the agents. Also, in the Post-Office Department and one or two other branches, it was necessary to place considerable sums at their disposal; vouchers, in every instance, being rigorously exacted to show that the expenditure had been correct. It was better to give this power to the Government to exercise at their discretion, than to oblige them, in certain cases of necessity, to grant the credits, whether legally or not.

MR. LANGEVIN said he was afraid the clause would establish a general system of credits. He knew elsewhere of a case where an officer had drawn a credit of \$5,000, deposited it in a bank to his private account and speculated with it, hoping, at the end of three months, to make the account right. Great risk was incurred by such a system that the officer might not ultimately be able to repay the amount, and it was a defective system that allowed public moneys to be used in that manner.

MR. BLAKE said there was considerable force in the remarks of the

hon. member for Charlevoix. A general system of credits should not be established, because for a large portion of the expenditure, such was unnecessary. Credits should be given only in special cases.

MR. PLUMB said that only when the necessities of the case required it, should public money be placed in the hands of officials for distribution, as was provided by the Bill.

MR. MITCHELL said he could not understand why such credits should be required by the Postmaster-General, but the need in case of Indian agents and Pacific Railway survey officials was manifest.

MR. CARTWRIGHT said the hon. the Postmaster-General had an immense number of small payments to make throughout the Dominion. In those cases, the Auditor-General and Minister of Finance were bound to see that the Parliamentary grants were not overdrawn. He had no intention of making the credit system the rule instead of the exception.

On the 34th clause,

MR. CARTWRIGHT said that it was a new clause, which was intended, as far as possible, to meet the case of extras. It certainly required to be carefully considered, and it was suggested as being as good a check as they were likely to devise. The clause was as follows:—

“No payment shall be authorized by the Auditor-General in respect of work performed, or materials supplied by any person in connexion with any part of the Public Service of Canada, unless in addition to any other voucher or certificate which may be required in that behalf, the officer, under whose special charge such part of the Public Service is, certifies that such work has been performed, or such materials supplied, as the case may be, and that the price charged is fair and just.”

MR. TUPPER said that the great difficulty was this: a contract might be given to the lowest tenderer, but for a certain class of material the charge might, in the estimate of the officer in question, be twice as much as was fair. Nevertheless, he was obliged to vouch that the price was fair and just, when, in his opinion, it was most exorbitant.

Mr. LANGEVIN said that perhaps the hon. the Minister of Public Works would explain how this clause would act.

Mr. MACKENZIE said that there had been two or three examples: For instance, a dispute had arisen as to particular work done on the Ottawa River, when the claims of the contractors for a dam was considered a kind of work which one of the engineers maintained was provided for in the specifications, came up. The contractors held that this was not the case. The estimate, however, was sent in by the local engineer, covering the work done, and finally it was determined, after reference to other engineers, including the Chief Engineer, that it really had not been provided for in the specifications. In this case, suppose the engineer of the locality had returned this claim as an extra, the Auditor-General would have prevented the issue of the certificate, unless the officer in whose Department this particular work was included, certified that it really was work of the kind described by the local officer. In another class of work, masonry on one of the canals was classed as simple masonry, at so much a yard—it might be \$8 or \$9; and, as a rule, a very large proportion, and sometimes the whole of the block stone used was delivered upon the works long before any part of it was built. The contractors had to get estimates upon it, and it would be very easy for the local engineer, if he was either ignorant or ill-disposed, to give a certificate in excess of the real value of the block stone laid down.

Mr. TUPPER: The wording would be improved if the words: "and that the price charged is in conformity, or that it is fair and just."

Mr. MACKENZIE: I have an invincible repugnance to using the word "extras." I have no objection, therefore, to insert: "and that the price charged is according to contract, and, if not covered by contract, is fair and just."

Section, as amended, *agreed to.*

On section 38,

Mr. TUPPER.

Mr. LANGEVIN suggested that accounts of the appropriation of the of the several supply grants should be passed within fifteen days after the 1st of July.

Mr. CARTWRIGHT: Make it thirty days.

Mr. LANGEVIN: I have no objection, but why do you use the term "appropriations."

Mr. CARTWRIGHT: As the hon. gentleman knows, there is nothing in the English House of Commons precisely similar to our public accounts. Our system is, I think, much better; they do not take up their public accounts, *en gros*, as we do, but investigate the Auditor-General's abstracts.

Mr. LANGEVIN: Then this will not keep the details from being laid before us?

Mr. CARTWRIGHT: Certainly not.

*Section agreed to.*

Mr. MITCHELL asked if this Bill would legislate Mr. Langton out of existence.

Mr. CARTWRIGHT: As Auditor, certainly. It divides the offices of Deputy Minister of Finance and Auditor.

Mr. MITCHELL: Then he remains in office?

Mr. CARTWRIGHT: As Deputy Minister of Finance.

Mr. MITCHELL: Then are we creating an additional office?

Mr. CARTWRIGHT: You substitute one for the other.

Mr. MITCHELL: Mr. Langton is to be continued in office as Deputy Minister of Finance?

Mr. CARTWRIGHT: Yes. Now there are the Deputy Minister of Finance and Auditor-General, and the Receiver-General. When this Bill passes there will be only two offices—the Deputy Minister of Finance and the Auditor-General.

MR. MITCHELL: Then I understand Mr. Harrington is to be legislated out of existence?

MR. CARTWRIGHT: That is more like it.

Bill ordered to be reported.

House resumed.

Bill reported.

#### STAMPS ON BILLS AND NOTES BILL.

[BILL No. 43.]

(Mr. Laurier.)

#### CONSIDERED IN COMMITTEE.

Order for House to go into Committee on the said Bill, read.

MR. JONES (South Leeds) said his constituents had communicated with him in reference to this Bill. They had become accustomed to the working of the present Act, and saw no reason why there should now be a change. He (Mr. Jones) saw no reason for adopting a double system. He had been opposed *ab initio* to the passage of the present law, and he thought, if the Government would withdraw it, it would be to their advantage, especially in the rural districts. If their object was to make more revenue, they should have changed the whole system, and adopted stamped paper altogether; but the double system would be more expensive than the old one, and the Government would not make any more revenue from it. It would be very difficult in rural constituencies to adopt the system of stamped paper, as a great deal of it would be destroyed and could not be made good.

MR. WOOD said the permissive clause having been introduced, there could be no objection to the Bill. The use of stamped paper would be a great convenience to bankers, merchants and others doing a large business.

MR. OLIVER said it was the opinion of merchants in his section that the plan to be adopted would be a good one. He would recommend that there should be stamped paper also for sums less than three cents as well as over. This tax fell heavily on the mercantile community, and was, in that sense, a

benefit to the people of the rural districts, who, if it were abolished, would have to pay a large proportion of the revenue derived from it, \$209,000. He hoped the Government would see its way clear to consolidate this Act and pass it through the House.

MR. THOMSON said if the Government made it permissive to use stamped paper, he saw no objection to the Bill, though he saw no necessity for it. His own opinion was they should abolish the Stamp Act altogether.

MR. LANGEVIN: Does the hon. gentleman intend to consolidate these Acts this Session?

MR. LAURIER: Not this Session.

MR. LANGEVIN said the Bill would clash with former Acts and create confusion.

MR. LAURIER said it was too late in the Session to consolidate all the Acts upon this matter. The Bill, with the amendment introduced making it optional to use stamped paper, would not conflict with any previous Act.

MR. WHITE (North Renfrew) said the objection of the hon. member for Charlevoix was well taken, that this Bill would tend to create confusion. If the only object was to introduce stamped paper, he thought it should be held over till next Session.

MR. MITCHELL said the Stamp Act should be abolished altogether. It was a vexatious one, which led to a great deal of confusion and litigation, which the present Bill only tended to increase. The people generally were in favour of repealing the Stamp Act. If such a measure were required for revenue purposes, the various Acts which had been passed dealing with the subject should be consolidated.

Motion agreed to.

House resolved itself into Committee on said Bill.

(In the Committee.)

MR. BERTRAM said it would be very desirable to have the amendments printed, so that hon. members might understand them. In his opinion, it was desirable to throw out the

Bill altogether. He knew of nothing in the Bill, except the permission to use stamped paper instead of adhesive stamps, that was not embodied in the Act of 1877. Indeed, the Minister now seemed to possess the power to arrange for the use of stamped paper. It was unnecessary for the House to be engaged in tinkering with an Act; at any rate, the amendments proposed should be printed, so that they might know their character.

MR. CAMERON said that, although he had followed all the explanations offered by the hon. the Minister of Inland Revenue, he failed to understand from them what the Bill really was, and he could not profess to give an intelligent judgment on the Bill as it was proposed to be passed. Either the amendments should be printed, or the Bill should be entirely withdrawn.

MR. LAURIER said the Bill, as it was originally framed, contemplated the compulsory use of stamped paper; but, as now amended, the use of stamped paper was made optional. He proposed to repeal several sections in section 1, and leave the law as it was. Certain penalties now existed under the law with regard to the issue of promissory notes and bills of exchange, if they were not stamped, and certain effects followed the omission to stamp. If a note was not properly stamped, it could only be made valid by recourse to the Courts, and by paying double duty. It was proposed to leave this law as it was at present; and, in order to do so, he proposed to strike out from the first section all the words from line 10th to line 18th.

MR. CAMERON said he quite understood what it was proposed to attain by this alteration; but it was impossible for them, where so many verbal alterations were made as was proposed, whole clauses being either struck out or changed, to understand, on hearing them hurriedly read, the effect of these various alterations. There had been no single piece of legislation more vexatious than the Stamp Laws. The cases that had arisen in consequence of it were, at any rate in Ontario, almost innumerable; and it had not only led to litigation, but also, in many cases, it had done very gross wrong, in which

dishonest debtors had escaped from liabilities amounting to thousands and tens of thousands of dollars, all of which arose, if he might use the expression without disrespect to Parliament, from bouncing legislation. One clause appeared inconsistent with another; and, also, all these various defects that crept into a Bill when it was hurriedly passed through Committee, and vital alterations were made, as were proposed on the present occasion. For these reasons he felt it to be his duty to protest against any other alteration being passed through in Committee until the Bill was reprinted and they had an opportunity of judging of the proposed amendments. He felt quite unable to do so at present; and, as a member of the House, he could not take the responsibility of saying whether the intention which the hon. the Minister of Inland Revenue had in altering this Bill, and making it compulsory instead of permissive, would be properly attained in the way proposed.

SIR JOHN A. MACDONALD: I would suggest that the hon. the Minister of Inland Revenue be allowed to carry the Bill through as it is, but not ask for concurrence of the report, and to have the Bill printed in the meantime.

MR. LAURIER: That is what I was going to suggest.

MR. PATERSON said he thought that the Bill should be so amended as to make it the duty of the holder instead of the maker of the note to affix the stamps. No great loss to the revenue would arise from this change, and no loss would be suffered by the individual who held the note. It should also be made illegal for anyone to pay a note unless it was stamped. This would secure the revenue, and do away with all chances of fraudulent debtors being able to defraud their creditors.

MR. LAURIER said that, as the law stood, any party had the power to stamp the note. The only penalty for neglecting to stamp in the first instance, was the payment of a double duty.

MR. BERTRAM.

MR. PALMER said that to make it valid, under these circumstances, such note must be stamped the moment that the fact came to the party's knowledge, and, therefore, this could not always be done. When the Bill was introduced, he thought that the whole Stamp Law should be consolidated and made plain. Nothing had created so much litigation in his Province as this Stamp Act. It was also extremely doubtful whether it was forgery under the law to simulate a note which was unstamped, as the Act declared distinctly that any note or instrument purporting to be a note, which was not stamped, was utterly null and void. This point was taken with great force. He had always considered this a most vexatious tax and wrong in principle, although the right hon. member for Kingston thought otherwise. The sooner they got rid of it the better Revenue should be raised in anyway but this. There were three or four of these Acts on the Statute-book, and if this very small one, or rather what was left of it, were passed, it would make confusion simply worse confounded if the idea of his hon. friend from Victoria was carried out. As long as the Stamp Act remained on the Statute-book, it would be felt to be a source of great annoyance, and he knew perfectly well that among commercial men, a very strong opinion—and he thought with good reason—existed against it.

MR. COOK: Can the maker or holder of the note go into Court and have an unstamped note stamped?

MR. LAURIER: Anybody can do so.

MR. GIBBS (South Ontario) said he thought that the Stamp Act should be consolidated. He did not know that the revenue could at present bear the abolition of the law. He considered that the way in which the hon. the Minister of Inland Revenue was treating the Bill, was not calculated to give greater confidence in the legislation that was going to take place in this relation, than in that which had taken place in the past. This law affected, at some time or other, almost every person in trade; and very few persons had the Statutes at hand in order to

see what the law was. The hon. Minister of Inland Revenue had not only, that evening, very nearly strangled the Bill, but also he was afraid that, before he was done with it, he would stamp it out altogether; and, if such were done, it would meet the views of the majority of the House.

MR. MITCHELL said that he entirely disapproved of the suggestion made by the right hon. member for Kingston. After the expressions of opinion delivered from both sides of the House, if the hon. gentleman (Mr. Laurier) did not withdraw the Bill altogether, he should, at least, report progress with the view of recasting it in accordance with the views so expressed, and which the hon. gentleman seemed to assent to. They would then be able to deal with it, but at present they were unable to form any idea as to the legislation proposed. If the course he proposed were adopted, it would be far more agreeable to the Committee and the country at large.

MR. KILLAM said the hon. the Minister of Inland Revenue would meet the views of the House better if he would allow this Bill to pass through Committee with the amendments suggested, and let it be reprinted before the third reading. By referring it to the Committee on Banking and Commerce, the views of the mercantile section of the community could better be submitted and considered.

MR. MITCHELL said as the hon. gentleman seemed determined to accept no suggestions from that side of the House or, at all events, from him, he would wash his hands of all responsibility connected with this legislation, which was the most desecrutable he had ever seen.

MR. KIRKPATRICK suggested that the word "order" should be struck out of the second section.

MR. LAURIER: I have no objection.

MR. PLUMB said it was very extraordinary that the time of the House should be taken up with the discussion of a Bill which had not been thoroughly digested, and on which alterations were constantly being made. He must pro-

test against this slipshod legislation. The Bill was entirely unworthy of the Government.

MR. PALMER said he noticed that letters of credit were brought under the scope of this Bill, though they were not mentioned in the Stamp Act.

MR. LAURIER: Yes, they are.

MR. PALMER: Will you refer me to it?

MR. LAURIER: I see no difference between a letter of credit, a bill of exchange or a promissory note.

MR. PALMER said there was no great difference, and although the banks might have stamped letters of credit, there was no necessity for doing so under the former law.

MR. PLUMB said the Minister of Inland Revenue seemed entirely to misapprehend the meaning of a letter of credit. A letter of credit had nothing to do with a bill of exchange and was generally payable in another country. The whole revenue on these letters of credit would not amount to more than \$1,000 a year.

MR. LAURIER said a letter of credit and a bill of exchange were always treated in the same manner; they only differed in details.

SIR JOHN A. MACDONALD said they might have some characteristics in common, but they were not identical.

MR. MACKENZIE: The Act says as follows:—"Every bill, draft or other instrument for the payment of any sum of money by bill or promissory note, or other document usually found in a letter of credit," and so on.

SIR JOHN A. MACDONALD: Then the hon. gentleman had better leave the section as it is.

MR. LAURIER said he proposed to withdraw the 2nd sub-section and substitute the following:—

"The person affixing such adhesive stamp shall at the time of affixing the same write thereon in the blank space printed for that purpose his initials and the date on which it was affixed."

MR. PLUMB.

It was, he said, intended to issue a new kind of stamps, because the present stamps, owing to the chemical preparation with which they were now coloured, could be used over again.

MR. WHITE (North Renfrew) wished to know if the hon. gentleman proposed to call in and collect all the existing stamps.

MR. LAURIER: No; because there is a provision in the Act that it shall not come immediately into force.

MR. WHITE said it seemed to him that this Bill should be withdrawn altogether in the meantime, and that the laws respecting Stamps Acts should be consolidated, so that if necessary, some amended provisions might be introduced.

MR. PALMER said, according to section five, a note might be rendered invalid by a mistake in cancelling the stamp. It required the signature of the maker to the cancellation. Why should not the signature of the holder be legal as well?

MR. WHITE said he thought the date ought to suffice.

MR. KIRKPATRICK said the clause used the words, "essential part of the instrument." This would lead to litigation, to decide what was an essential part of the instrument.

MR. LAURIER said this was removed by the amendment providing only the date and initials to the stamp.

MR. CAMERON said this clause did not provide for any mistakes, but make the note absolutely null and void. This was a return to penal legislation. Under the existing law, the proper stamps would be affixed and mistakes corrected.

MR. LAURIER said it did not alter the existing law in that respect.

MR. KIRKPATRICK said this clause stated the provisions of the existing law held good "in so far as they are not repealed by or inconsistent with this Act." The Bill had better be referred to the Judges of the Supreme Court.

MR. LAURIER said it was provided that it should be part of the first Act, 31 Vic., which created the law.

SIR JOHN A. MACDONALD said there were so many changes, he would suggest that the Bill be reprinted; the preamble should not be adopted, so as to allow these clauses to be again discussed in Committee.

Progress ordered to be reported.

House resumed.

Progress reported.

House adjourned at  
Two o'clock.

## HOUSE OF COMMONS.

Friday, 5th April, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### THE AGRICULTURAL INTERESTS.

#### ADJOURNED DEBATE.

Order for resuming debate on Mr. Cartwright's proposed motion: "That Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply," and the motion of Mr. Brown in amendment thereto, [page 1627], read.

MR. ORTON said it had been his intention to move a motion more comprehensive than the one before the House, with reference to our agricultural interests; but he gladly welcomed the motion of the hon. member for West Hastings (Mr. Brown) as a step in the right direction. This motion was particularly gratifying to him, coming, as it did, from an hon. gentleman opposite, and being seconded by another hon. gentleman who so continuously supported the Government. This was to him evidence that the determined policy of the Government to refuse any meed of justice to our agricultural interests did not receive the sanction of many hon. gentlemen who had usually supported the present Administration. When he had the honour of asking for a Committee to investigate the agricultural interests of this country, he confessed he did expect that at least the great majority of hon. gentlemen on both sides of the House, recognizing the importance

of agriculture to our prosperity, would gladly lend their aid and assistance in gaining all the information possible on this very important subject, and in arriving at a just and wise conclusion. Indeed, he did not expect that it would have been made a party issue, and he well remembered his disappointment when it became so painfully certain, before any information had been gathered or an investigation made, that the fiat had gone forth, and that the hon. the Premier had given it to be, so distinctly understood that the redress sought for was opposed to the policy of the Government. It had been said that the reason for this course was a fear of losing the support of the hon. gentlemen from the Lower Provinces who held pronounced Free-trade doctrines, that the hon. the Premier had a perfect reliance upon his too confiding followers from Ontario, but that he apprehended that if he opposed the views of his Lower Province supporters, his Government might be weakened. Be that as it may, the fact remained that, from that time, four years ago, up to the present, the Government had, upon every occasion, given to every effort to obtain this meed of justice to our agricultural interests, their most bitter and determined opposition. His own humble experience and his imperfect endeavours in this regard had been made the butt of attack on many occasions, apparently in order to direct the public attention from the vital importance of this question to his personality. His motives had been impugned. He had been maligned from one end of the Province to the other during picnic campaigns of the Government and its supporters. Causeless ridicule had been heaped upon him unduly, because in the discharge of his duty towards the important and fine agricultural constituency which he had the honour to represent, he had dared to ask that justice be done to our farmers. The hon. the Premier had characterized the redress he sought as a nostrum.

MR. MACKENZIE: Hear, hear.

MR. ORTON said that the hon. gentleman's followers had followed very aptly in the hon. gentleman's lead, and on every possible occasion they

had attempted to cast ridicule and contempt on this question. Even his own position, as a professional man, had been attacked, and it was said — “What right had a Doctor to take charge of the agricultural interests of the country? Are there not farmers in the House and gentlemen who had been brought up as farmers, who were perfectly capable of undertaking the defence of their interests?” It was true that there were farmers in the House. They had there the hon. member for South Wentworth who, he believed, had occupied a position in the legislatures of this country for nearly quarter of a century; but with what benefit to the agricultural interests of the country, he left the farmers to judge. There were also other farmers members of the House, but because they might be too much blinded by party prejudices to carefully consider these interests, this was no reason why he, who was selected by one of the most intelligent agricultural constituencies in Ontario to represent their interests, should not endeavour to do what, in his humble way, he could to advance their interests. If he was wrong, the Government and its supporters must also condemn the Government of Ontario, which had presumed to legislate in the interests of the farmers. If doctors had no right to use their efforts in the interest of the agricultural community, what right had a Government of lawyers to give the franchise to farmers’ sons? But if any vindication were required of his course, he had it to day in the motion of the hon. member for West Hastings, and also in the notice of motion given in this relation by the hon. member for Iberville (Mr. Béchard), and seconded by another hon. gentleman both of whom were as consistent and continuous supporters of the Government as any men in the House. They now found that it was utterly impossible to preserve that solidarity of the Government support in opposition to this patriotic policy of doing justice to our agricultural interests, and, therefore, he felt peculiarly gratified at the motion before the House. Neither the party whip nor any other effort on the part of the Government to ridicule,

**MR. ORTON.**

even when invoked by the melodious strains of the jews’-harp, or the fantastic Indian war-dances of an agile member, would to-day avail to bind together the supporters of the Government in pursuance of the latter’s unpatriotic policy. It could not, at this hour, be said that the farmers of this country did not desire and require protection against the unfair competition of American farm produce which came into our markets. They had on record the evidence taken by the Agricultural Committee, overwhelmingly showing that our farmers earnestly desired that their interests should be protected against this unfair competition. They also saw resolutions passed by large gatherings of the farmers throughout the country, by County Councils, by Grange societies, all asking for the same policy. The farmers were now thoroughly aroused to the importance of this question, and were determined that their interests, which had been so long neglected, should be attended to.

**MR. RYMAL:** Is that so?

**MR. ORTON:** Was it not a fact that every class in our community had had legislation in their interests. Had not the traders and bankers, money lenders, lawyers, and even doctors had laws passed in their interests, and often regardless of their effect upon our agricultural population. He need only instance the bankrupt law, which he thought even his hon. friend from South Wentworth would agree with him, was not in the interest of the farmers, but in the interests of the traders, and directly opposed to the interests of farmers and non-traders. It had destroyed the honour, to a large extent, of a great portion of our commercial classes, and had been the means of creating among many of them the ambition to defraud their honest neighbours rather than to earn an honest living. Had not advantages been given by legislation to loan and banking societies, by which they were enabled to overreach the farmer, and, in many instances to ruin him? Had not our tariff been arranged without any regard, but diametrically opposed to the best interests of the agricultural community? Were



not privileges given to railway corporations which were not advantageous to the farming interest? Indeed, the interests of the farmers of the Western States were considered before the interests of our own farmers; but who paid the piper? Had the farmers of the United States contributed towards the large sums which were being spent annually, and which had for such a length of time been expended in enlarging our canals and building up the fine canal system of our country? Had they contributed to the creation of our great railway system? No; but, nevertheless, they found that the produce of the farmers of the Western States, and of the United States generally, was carried over our railways at a cheaper rate than the produce of our own country, and brought into our own markets over these railways, and into direct competition with the produce of the farmers of this country. He proposed now to show the loss which this one-sided tariff policy, with regard to farm products, caused, not only the agricultural population, but the whole people of this country. On looking at the Trade and Navigation Returns, the first startling fact which he found was this, that last year our total imports from the United States amounted to no less than \$51,000,000, while our exports to that country only reached \$25,000,000 leaving at least \$25,500,000 balance of trade against this country. Now, we naturally asked ourselves how we have made up this difference. Have we paid this balance by our agricultural and other products? No, but have been obliged to pay it in gold to the serious injury of our commerce, by depleting our banks and creating scarcity of money in the country and thus conducing to the general depression in trade? The next fact we observed was this: that our total imports of agricultural products from the United States amounted to the enormous sum of \$19,396,725, while we only exported to that country \$12,676,172 worth, leaving a deficit of nearly \$7,000,000 against Canada in our interchange of agricultural products alone with the United States. It might be said that a large portion of the products imported from

the United States was re-exported to Europe, and that the actual injury to the farmers of this country was not great. He found, however, that only \$4,927,658 worth of agricultural products was re-exported, leaving \$14,469,067 worth to be consumed in Canada and to be brought into direct competition with the products of this country, displacing a similar amount of Canadian farm products from our own market. The injustice of the present tariff system would be seen when it was considered that, in order to get \$12,000,000 worth of these products into the United States markets, the Canadian exporters had had to pay nearly \$4,000,000 into the treasury of that country, while the exporters of the United States sent products to the value of nearly twice the amount into Canada, and only contributed \$263,935 to the treasury of this country. Had the Americans paid the same rate for the privilege of obtaining a market in Canada as they charged to Canadian exporters, they would have contributed something like \$6,000,000 to the treasury of this country, in place of only \$263,935. As things at present stood, the Canadians were paying twelve times as much into the treasury of the United States as the exporters of that country paid into our treasury to obtain a market for only two-thirds as much as they, the Americans, sent of farm products into our markets. It would, he thought, require something more than the philosophy of the hon. the Minister of the Interior or the hon. member for North Norfolk (whom he saw smiling benignly) to convince the farmers of this country that the immense amount of agricultural products brought into this country, and which replaced our own product, was a benefit to the people or to the farmers of our country. The next fact he observed was this: that from year to year the amount of meat stuffs and the number of animals imported into this country from the United States was rapidly increasing, while that sent from Canada into the States was rapidly decreasing. The amount of animals and meat stuffs sent from the Provinces of Ontario and Quebec in

1864 to the United States was no less than \$4,151,243 worth, while last year the amount exported from the whole Dominion to the United States was only \$2,853,647 worth—just half as much as was sent from the two Provinces in 1863. He thought this was a very important point. Another matter in connection with this had been brought very prominently before the Committee of Emigration and Colonization this Session, namely, that the farmers of the United States were able to produce a better class of cattle at a much cheaper rate than the farmers of Canada. It was of very great importance that we should preserve to the farmers of this country our markets for meat stuffs and live stock, so as to encourage the raising of cattle, especially when we considered that the raising of animals on a farm added much to the returns which might be expected from agricultural labour, for it was well known that where a large number of animals were reared they returned to the soil what the cereals took from it, thereby largely increasing the profits of farming. But, if we allowed the present policy to be pursued, we would find our market for meat stuffs controlled by the Americans. Mr. McShane, a large dealer in animals, in Montreal, stated to him that he could, by telegraph to Chicago, any day, obtain a car-load of western cattle which would be of better quality, and arrive sooner, than if he had sent to Ontario. They found also that those who exported cattle to the British market brought them from the United States instead of getting them in their own country. Although, therefore, we might hope to have a market for our cattle in Britain, it would, to a large extent, be absorbed by the American exporters. He could not help feeling that our market for meat stuffs in Britain would be of much shorter duration than was anticipated. The Duke of Richmond's Bill was evidently put forward in the interests of the farmers of England, and was intended to place impediments in the way of American cattle competing with those raised by the British farmer. Meat stuffs were the main source from which, under the Free-trade policy of England, farmers of Britain

Mr. ORTON.

derived their profits. When the corn laws were introduced there was a famine in the country, the people were very much impoverished; by their introduction a stimulus was given to manufactures, and an increased demand for meat stuffs took place. This demand for meat stuffs, indeed, compensated the British farmer, to a certain extent, for the injury which he suffered by the admission of foreign bread stuffs, as he not only got a better price for his cattle, but could raise more grain per acre. The next point he would refer to was this: that last year we imported no less than \$7,791,096 worth of flour and wheat, of which we re-exported only \$1,399,619 worth, leaving a balance of \$6,391,475 worth of American wheat and flour to be consumed in this country, to the great injury of the wheat growers and millers of Canada. It might be said that a large portion of the wheat imported from the States to Canada was manufactured into flour by Canadian millers and exported in that form. He found, however, that the total quantity of flour exported from the Dominion of Canada last year amounted only to \$1,167,780 worth; so that, assuming the whole of the flour exported from this country was manufactured from American wheat, it would still leave over \$5,000,000 worth of American flour and wheat to be consumed in Canada. It was not difficult to understand that this must be highly injurious to our agricultural interests. Why should not the benefit of this market for flour and wheat be given to the Canadian farmers and millers, instead of to those of another country? The next fact which he found in the Trade and Navigation Returns was, that last year we imported 8,260,039 bushels of Indian corn, of which we re-exported 4,018,612, leaving 4,241,427 of Indian corn to be brought into competition with the Indian corn and coarse grains of this country. The greater part of this Indian corn was brought in for the manufacture of whiskey, and we found the gross injustice of the barley malt grown in our own country entering along with the Indian corn of the United States into the same mash tub for the manufacture of whiskey. The barley malt of

our own country was taxed 72c. a bushel, while Indian corn went into the manufacture of whiskey without one cent being paid on it. If his hon. friend from West Middlesex desired to advance the cause of temperance in this country he should object seriously to this facility for the manufacture of whiskey from untaxed corn, thus decreasing the evil effects of whiskey drinking. Last year we imported 1,697,706 bushels of oats, which were brought into direct competition with the oats grown by our own farmers. And well he knew the effect of American oats coming into this country, in relation to the price of oats in Canada. Last Fall, when oats were worth from 45 to 50c. a bushel in the part of the country where he resided, American oats commenced to be brought in in large quantities; in the course of a few days they were reduced to 28c. or 30c. a bushel and the price has never raised during the whole winter. It was said that the British market ruled the price of oats, but such was not the case. He had taken the trouble to enquire what the price of oatmeal was in Glasgow, and found that oatmeal was being manufactured by Canadian millers for exportation at the same price, when oats were 45c. a bushel as when they were worth only from 28c. to 30c. This showed distinctly that the price of oatmeal in Europe did not always rule the price of oats in this country. He wished to make a short calculation which would partially show the immense loss which this country incurred through the existing policy; he thought it could be computed at an enormous amount. He had just stated that Indian corn and oats brought into this country reduced the price of oats and corn at least ten cents a bushel. Now, he thought he might safely say that every farmer with 100 acres of land had 200 bushels to sell and lost, in consequence, \$20 on his oats. When, also, we saw the enormous quantity of flour and wheat brought from the United States, we might safely say that the loss per bushel on wheat was five cents per bushel. This, he thought, was a moderate calculation, and, as each farmer in this country would have on an average 300 bushels of wheat, his

loss thereon would amount to \$15 a year. He thought two head of fat cattle was a very small average to give of the number raised by each farmer in the country, with an average weight of 1,000 lbs. In consequence of the unfair competition of American cattle, swine and pork — which also entered into competition with beef — he calculated that the loss per lb. which the farmers would have to sustain on their fat cattle was one cent. This, on two head of cattle of the weight he had mentioned would amount to \$20. An enormous number of live hogs was brought into this country at a duty of 10 per cent., which would reduce the price of pork by a cent per lb., meaning a loss to the farmer of \$8 per year. Without taking into consideration the effect which the present tariff system had on the price of mutton, horses, Indian corn, rye, and a vast number of other agricultural products. He found that the actual loss to the farmers of Canada on the articles he had enumerated was, at the lowest possible calculation, \$63 a year. He thought no hon. gentleman in the House would question his calculation, or think for a moment it was an exaggerated one. He found, by the statement of the hon. the Finance Minister in his speech at Fergus, that there were some 500,000 farmers in this country. If each farmer lost \$63 a year by this ruinous policy, it amounted to over \$30,000,000 a year lost to this country. From their uneasiness it was very apparent that the hon. gentlemen on the other side of the House were extremely alarmed by the exhibition he had given of the enormous loss incurred. It was stated that over-importation was the cause of the serious depression which existed to-day. The hon. member for Centre Toronto had said that \$200,000,000 of a balance trade existed against Canada during the last ten years, and which they were unable to pay for, and that this was the cause of our trouble. Had our farmers received a just reward for their labour, had the Government placed them in a position to reap a just profit for their labour and investments of capital, the country would have been enabled to have overpaid these \$200,000,000 during the last

ten years, as the loss to our farmers alone was over \$200,000,000 during that period. He thought it was safe to say that industries of every description would have been vastly benefitted, and general prosperity, instead of general ruin, would have prevailed. A loss of \$50 to \$60 per year to the farmer was a very serious matter; just the difference of his being able to pay his store bill, his blacksmith's bill and other accounts, or not. The effect was most ruinous to the industries of our country. While referring to the importance of preserving a Canadian market for wheat, he wished to draw the attention of this House to the fact that new competitors from other countries were beginning to supply very large quantities to Great Britain. For instance, the amount of wheat imported into Great Britain from British India had increased very largely from 1875. In 1875 it was 1,334,943 cwt.; in 1877, 6,104,940 cwt., or about five times as much. This would show the importance of preserving a market in Canada, and thus increase the demand for the wheat and flour grown by our own farmers, especially in view of the fact that we had a rapidly increasing quantity of wheat grown in the North-West Territories, which would soon compete with that grown in other Provinces. It had been attempted, during campaign speeches of hon. members of the Government, to frighten the farmers of Ontario, by telling them that a protective policy was only sought with the object of giving a larger Protection to manufactured goods and of increasing the cost enormously to the agriculturists. It could be shown, in the first place, very clearly, that a protective policy, instead of increasing the prices of manufactured goods, decreased those prices. He had, on a former occasion, shown that the prices of cottons and calicoes, in the United States, had been reduced, under a high protective tariff, compared with what they had been under a low tariff. He had taken the trouble to ascertain the prices of other common articles used by farmers in the United States, and had found that almost all classes of manufactured goods could be bought as cheap, and in many in-

stances cheaper, there than in Canada, notwithstanding their high protective tariff. Even when there was a high protective tariff in Great Britain, articles were produced there cheaper than in any other country in the world. Take iron for example: when there was a duty of not less than £6 stg. per ton upon iron, it was produced in Great Britain cheaper than elsewhere. And such was now the case in the United States, under one of the highest protective tariffs in the world. But the question could be looked at from other points of view. It was not proposed by anyone to have an extreme protective policy. He thought that no more than from 20 per cent. to 26 per cent. tariff on manufactured goods would be asked by any manufacturer in Canada. There were very few farmers in the country who used a hundred dollars' worth of manufactured goods in his family per year. The great majority did not require nearly that amount, so that, supposing the increased duty would increase the price, it would not amount to over \$7 per year. What was that compared to \$63 per year which the enhanced prices of their products, under a protective policy, would give to the farmers, and which was now lost to them? What were the compensating advantages of a protective tariff? Under it, the manufactures of this country would rapidly increase and there would be a much larger market for all farm products, especially for perishable articles; also for a greater variety of products which would be raised and obtain ready sale, and the benefit to the farmer would, on the whole, be enormous. He wished to draw attention to the high prices paid for farm products in the United States under a high tariff as compared with those under a low tariff. The average prices in the New York market during the seventeen years before 1860, of a low protective tariff, and the seventeen years after 1860, of a high protective tariff, were as follows:

	Before 1860. Low Tariff.	After 1860. High Tariff.
Beef.....	\$9 20 per bbl.	\$19 30 per bbl.
Butter.....	0 17½ per lb.	0 27½ per lb.
Cheese.....	0 8½ "	0 15 "
Hams.....	0 8½ "	0 11½ "
Pork, mess 14	08 per bbl.	22 2½ per bbl.

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Oats .....	0 47½ per bush.	0 69½ per bush.
Corn.....	0 72½ “	0 88½ “
Wheat....	1 54 “	1 68 “
Wool .....	0 31½ per lb.	0 53½ per lb.

Total average increase of these staple farm products under high protective tariff as compared with low protective tariff, over 25 per cent. While referring to the importance of their giving a stimulus to their manufacturing industries, in an agricultural point of view, he desired to read some extracts from McQueen's *Table of the Wealth of England*, in proof of his statements: From that work it appeared in 1840

1st. That the value of soil devoted to agriculture forms 26-43rd of the total wealth of England, and is nearly 12 times greater than that of the whole capital invested in manufactures and commerce

2nd. That the sum employed in agriculture comprehends more than three-fourths of the capital of England.

3rd. That the whole value of fixed property in England is, viz:—

Land.....	£2,604,000,000
Towns, Buildings and Manu- factories.....	605,000,000
Canals and Railroads,.....	118,000,000

Total..... £3,327,000,000

or farm land is more than three-fourths of whole.

4th. That manufacturing and commercial capital, including ships, does not exceed £241,500,000, and constitutes, therefore, about one-eighteenth of the national wealth.

5th. That the agricultural capital of England which is 3,311 millions, produces a gross income of 539 millions, that is about thirteen per cent., whilst the manufacturing and trade yields a yearly gross product of 259,000,000, or one hundred and twenty per cent.

It must not be overlooked here, above all, that 218 millions of manufacturing and trading capital, yielding a yearly product of 259,500,000, is the main cause which swells the agricultural capital to the enormous sum of 3,311 millions, with its yearly product of 539 millions. By far the greatest portion of agricultural capital consists in value of land and cattle. By doubling and tripling the population of the country, by sustaining an immense external commerce, by furnishing vast quantity of shipping, by acquiring and employing a multitude of colonies, manufactures have increased in the same proportion as the demand for food and raw material; they have raised the exchangeable value of agricultural products, and thus determined a proportional increase in quantity and exchangeable value of the cost of land and of the value of the soil.

Destroy that manufacturing and commercial capital of 218,000,000, and not only the income of 259,500,000 would disappear but also greater part of 3,311,000,000 of agricultural capital and consequently of the income of 539,000,000 derived from that capital. The income of England will be diminished not merely 259,500,000, the value of the manufacturing production, but the exchangeable value of the soil will fall to the tenth or twentieth of its present value. Hence it follows that the capital usefully employed in manufactures by an agricultural nation increases in time the value of the soil tenfold.

The tenfold increase in the capital of the agriculturist is sure when a country has large manufactures as compared with those who have few, and the former realizes this without any sacrifice or risk of loss, while in new manufactures of every kind the investor risks the loss of the whole of his capital invested.

It had been said that if the policy advocated by the Opposition were pursued, it would create discord among the Provinces, and weaken the ties which bound them together in this Confederation. He considered the effect would be quite the reverse. It was just as much in the interests of the Lower Provinces that there should be inaugurated a wise national policy as it was to any other part of the Dominion. He had proved by the result in Britain already how vastly the shipping interests of the country increased where manufactures and agriculture prospered. It must also be remembered that in the Lower Provinces, at least in Nova Scotia, they had two of the greatest sources of wealth, coal and iron, which had been the main sources of the enormous wealth of Great Britain. Under a proper policy, stimulus would be given to the production of the coal and iron of Nova Scotia, and large industries would arise in that Province, especially in the manufacture of ironware, thereby increasing its population and its wealth. To-day the masses of the people of the Lower Provinces were not as wealthy as in other Provinces of our Dominion. There was a sort of monopoly in that Province, the sources of wealth being under the control of a few. Under a proper policy, there would be a stimulus to industries which would cause the prosperity to be more evenly distributed. Where coal was produced, cheap steam would be

obtained, and with cheap steam power there must be a cheap mode of manufacturing. Therefore, there was every reason to believe that, under a wise policy, the people of that section would be as largely benefitted as the people of other Provinces, if not more so. It would also stimulate interprovincial trade, and bind more strongly the ties which now united us in this Confederation. It had been said that because Free-trade had benefitted Great Britain, it would benefit this country; but they all knew that the circumstances under which Great Britain inaugurated a Free-trade policy were entirely different from those which existed in this country. She had, under her long course of Protection, built up her manufactures to such a position that she could defy the world. She had only a limited amount of acreage of land on which to produce wheat and could not supply her own people with food, and there was famine in the land, amongst the working class, in consequence of her inability to produce bread stuffs sufficient for her own people. Free-trade was then a wise policy to pursue in the interests of the mass of the people of that country, but it must be remembered that the British manufacturing industries had arrived at their prosperous position under a Protection policy; they had accumulated both skill and capital and had no competitors in their own markets. It must also be borne in mind that in a country like this, with a sparse population and small capital and little comparative manufacturing skill, it was impossible to compete with older countries which possessed an accumulated capital, and also accumulated skill in manufactures. In no country had manufactures sprung into existence, to a large extent, under a Free-trade policy. Could anything be more striking than the prosperity of France under a protective policy compared with other countries during the last few years? Perhaps that was the only country where the depression, which had visited every other land, had not been felt. Did they find that Great Britain was prospering to-day under Free-trade? No; quite the reverse. He had a paper which had

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been written by Lord Bateman, entitled, "A plea for Protection," in which he stated that:

"We cannot shut our eyes to the universal collapse of trade and its accompanying distress, be it the mineral, the shipping, the carrying the AGRICULTURAL, and the general manufacturing trade. Throughout the country the cry of depression and distress and ruin is the same. We have to compete on unequal terms with other foreign countries, who are robbing us of our profits, paying nothing to our exchequer, and underselling us at the same time. When the capitalist finds that his trade is leaving him, and that his profits are reduced to a minimum, it follows that the workmen depending upon him must suffer in like proportion, and as a consequence, the rate of wages must come down or employment must cease—strikes, lock-outs, and painful and undeserved distress are the inevitable results. Granted that the theory of Free-trade and unrestricted commerce with all quarters of the universe is as bold as it is magnificent; granted that the idea, by whomsoever originated (and advocated by no one more consistently than by our good and wise Prince Consort), is both grand and glorious in its conception; granted, that to give effect to it has been the aim, as it has been the long accepted policy of successive Governments, it cannot be denied that the sting of 'want of reciprocity' has, from the first, checkmated our philanthropic efforts, and obliged us to confess, after thirty years of trial, that in practice our Free-trade is at best but one-sided; and that while we are opening our ports to the commerce and manufactures of the world, free and unrestricted, other countries, without conferring upon us any reciprocal benefit, are taking advantage, without scruple, of our magnanimous, but disastrous (because one-sided) liberality. It is of no use to blink the question. Facts will speak for themselves. In defiance of all arguments and all persuasions, not to say entreaty, on the subject, these awkward facts remain. Our overtures to other countries are disregarded; our commercial treaties are not renewed; our own trade is in a sinking and unprofitable condition; our exports show a lamentable, alarming and increasing deficit; our Exchequer is affected; and, worse than all, not a single country in Europe, to say nothing of the United States, can be cajoled by the most specious temptation into following our example of free importation."

He (Mr. Orton) thought nothing could more eloquently describe our own condition in this country. Lord Bateman went on to state:

"We have tried Free-trade and it has been found wanting. We have done our best to impress others countries with the reasonableness of our policy, and in return they scoff at our blindness, and turn a deaf ear to

our remonstrances. In the meantime partial ruin and wholesale depression and distress are staring us in the face, our local burdens are increasing, our exports are diminishing. Why should we persist in such an Utopian crusade?"

These are the eloquent words of one of Free-trade England's most enlightened statesman, with regard to the disastrous results which even Great Britain, with all her peculiar advantages and accumulated skill and wealth, finds to-day as the fruits of pursuance of the fallacy of a Free-trade policy without reciprocity. But this was not the opinion of one only of England's statesmen, but was endorsed by the member for Birkenhead, Mr. David McIver, who recently wrote to the *Times* as follows:—

"As I have the honour to represent this great seaport constituency in Parliament and have the satisfaction of knowing (in this part of the country at least) my views are largely shared in by business men, even among those opposed to me in politics, it may not be out of place that I should say a few words on the subject of Free-trade. I think we are greatly indebted to Lord Bateman for his letter, and I also desire to express my most hearty concurrence with your correspondent, "A Merchant"; but your correspondent "Other Side" proves nothing by his figures, except the truth of the old adage that 'Figures can be made to prove anything except facts.' This increase of British coasting tonnage to which he alludes is due not to Free-trade, but to steam navigation. Cheap labour, cheap coal, and cheap iron, have helped us hitherto; but they have ceased to help us now. In this part of the country we nearly all want real Free-trade, but how are we to get it? Not, I think, by continuing to push Free-trade theories as if they were a panacea for all ills. Other nations know better than this, and the world, outside of Great Britain, does not believe that wisdom will die with our present race of Free-trade enthusiasts. Reciprocity is what is essential to commercial prosperity, and we are not likely to get it so long as in the innocence of our hearts we continue to be universal and unconditional Free-traders."

He thought that was very *apropos* to our position. It was impossible for 4,000,000 in this country to compete with 40,000,000 in the neighbouring country, under such disadvantageous circumstances which now existed, barricaded as we were from all entrance to the United States, while we admitted almost free all their products. It had been repeatedly stated that

Great Britain ruled the price of farm products in this country. While he was bound to acknowledge that, in wheat and flour, Great Britain did rule the price in certain seasons, he denied that she ruled the price of breadstuffs in this country all the year round. The statement which he had read as to the price of farm products in New York, proved that Great Britain did not rule the price there, but that the price was ruled by the demand created by the large population concentrated in that great city. In this country it was the same. At many times of the year the great bulk of our surplus grain had been already exported to Great Britain, and the local demand became larger than the remaining supply, and prices would go up were not the American farmers allowed to come in and compete for the supply of this local demand with our own agriculturists. He considered that this showed clearly that Great Britain did not rule the market at all seasons of the year even in relation to wheat and flour, although it might do so for a certain portion of the year and to a certain extent. In other farm products it had little or no effect. He thought they must all acknowledge that the Chicago market ruled the price of all coarse grains in this country, and not the demand in Great Britain, but if we had a proper protection against the farm products of the United States, we would have a larger price for those articles in Canada. It had also been said that our carrying trade would be destroyed and that we would lose a great deal of the benefit of the money that we now had invested in our canals and our railway systems. He could not see the force of this argument. If it was profitable to the people of the United States to send their products through Canada to Europe, they would send them just as well under a protective policy as they did under the present system, because they could send them through in bond. He could not see that it would have the slightest effect on our carrying trade, but under a wise national policy the various industries of the country would be so stimulated that they must come to the conclusion that the traffic

on these highways would be vastly increased by the wants and requirements of our own people under the prosperity created by a wise national policy. He desired now to refer to some of the arguments used by the hon. the Minister of the Interior at Fergus. They had before heard the disingenuous character of his arguments exposed; how by comparing the exports and imports into the Province of Ontario, by showing that there was not a large number of animals brought into Ontario, he had tried to palm that off as a reason why there should be no protection against animals coming in from the United States, while he utterly ignored the fact that a large number of animals were brought into the other Provinces, and competed with those raised by the farmers of Ontario and the rest of the Dominion. He (Mr. Orton) thought such an argument was unworthy the position which the hon. gentleman (Mr. Mills) occupied, because it was disingenuous and gave only half the truth, instead of the whole truth. In reference to wool, the hon. gentleman said :

"I shall show you, by the returns, that the taxation imposed by Congress has in no way affected the prices, but that the Canadian farmer receives as large a price now as when wool was admitted free into the American market."

He would show what the price of wool in the United States was last summer, and whether the Canadian farmer received as large a price as prevailed in the United States. A friend, Mr. Morgan, living on the Detroit River, wrote him (Mr. Orton) on that subject as follows :

"On the 29th June last I took my wool to Windsor, and got the highest market price, 26c. I had 32 fleeces. After disposing of wool, I crossed the river to Detroit, where a friend of mine, whose arm is in sight of mine, but in Michigan. He had just sold his wool, he got 42c, which, at the then rate of exchange would be 41c. gold. He got 13c per lb. more than I did; my wool was better than his; I know his sheep. He was protected by 11c. specific and 10 per cent. *ad valorem*. He made \$1.12 more per fluce than I did, which, in 32 fleeces would be \$36 in his favour."

That gentleman also enclosed the following quotations :

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"ANN ARBOR, June 28th, 1878.

"Large receipts of wool to-day, price 33 to 40c.

"BILDING, MICHIGAN, June 26th, 1877.

"J. B. Nutch acting for the order of Grangers shipped a large quantity to Boston and got for his patrons about 5c. above the market price here. His action put the market up to 41c.

"MARSHALL, 26th June, 1878.

"J. N. Dickev has taken in 125,000lb. of wool for which he paid 40c.

"ST. CLAIR, June 26th, 1878.

"Wool still coming in, prices run from 35 to 43c."

He thought this showed clearly how much more farmers of the United States received for their wool, under a protective policy, and that if we had reciprocity we would share in this increased price of wool. Another argument had been used in this House and in the country, and especially by the hon. the Minister of Interior at Fergus, in order to terrify the farmers of Ontario in relation to Protection, though how it was arrived at, he failed to conceive or imagine. It had been said that the United States had paid in ten years \$60,000,000 in order to maintain a protective policy. He would like the hon. member who had made that statement to explain how that calculation was arrived at. It must be shown that the American people had paid that much more for their goods than the price at which they could have been purchased under another policy, and it was impossible to prove that such was the case. It must further be shown that the incidental advantages given to the people of that country had been nothing, in consequence of the burthens created by a protective policy; whereas, it would be found that the benefits were enormous. But he had figures that would prove that the prosperity of the country had greatly increased under a protective policy. In 1860, the real and personal property of the United States was \$16,000,000,000, while in 1870, ten years afterwards, it had risen to the enormous sum of \$30,068,000,000. It thus appeared that the real and personal property had nearly doubled in ten years, and that at a time when the



country was involved in a civil war, which destroyed wealth instead of increasing it. Even if the American people did pay an increased price for goods, the money was not paid to a foreign country, but to their own people, and by the new industries and sources of wealth created they increased enormously the total wealth of the country. That fact of itself was sufficient to prove the utter absurdity of the statement of the hon. member. It had been contended by the hon. the Minister of the Interior that the prices obtained for the farm products of Canada in the United States, under reciprocity, was lower than it had been since, and a long string of figures was given to the people at Fergus to show that fact. If the argument amounted to anything it was that reciprocity was an injury, instead of a benefit, to the Dominion, and yet the present Government had sent Mr. George Brown to Washington, at very considerable expense, to negotiate a treaty. Why should the country be called upon to pay the expense if it were better to be without reciprocity. If, under the high protective policy inaugurated in the United States since the Reciprocity Treaty, products of every description had realized high prices, that was one of the strongest reasons that could be given that Canada should adopt the same course in order to enrich her farmers and bring prosperity to her people. It had frequently been stated that the country should not impose any duties on American produce, lest the Americans might entirely shut out Canadian farm products from their market, by placing increased duties on these products. Some people appeared to imagine that Canada could not exist without the United States, that our very breath was obtained from them, and that we could not live except by their good will and toleration. He held that the people of this country could live without the United States. We had a vast territory, an energetic people, and the world with which to trade. Our proper course ought to be to endeavour to encourage and increase trade with other countries which did not compete with us in producing the same articles we grew and manufac-

tured. We should strive to extend our trade with those countries which produced what the Dominion did not produce, so as to afford increased markets for our products, and not forever toady to the United States. We should strike out and adopt a wise national policy in the interests of our people. We should do as the United States did: not consider other countries, but the interests of our own people in the Dominion, and, by that means, would vastly benefit our people, and make Canada what we all desired to see her: a great and a prosperous nation. He would not detain the House further, but would support the motion of the hon. member for West Hastings.

Mr. SMITH (Peel) said he desired to offer a few remarks in reply to the hon. member for Centre Wellington (Mr. Orton). That hon. gentleman had commenced his speech by complaining that some hon. members sneered at his views, because he, a professional man, had taken up a question that belonged to the agriculturists. He had no idea of throwing contempt on the hon. member, and he had no right to do so. The hon. member for Centre Wellington represented an intelligent agricultural constituency, and it was his duty to endeavour to aid his constituents, as he no doubt thought he was doing by pursuing his present course. Nevertheless, it was somewhat strange that, while there were thirty members in the House who followed agriculture as a pursuit, not one of them had taken up the question. They found, moreover, in other places, professional men taking up the subject of Protection for farmers. The hon. member for West Hastings (Mr. Brown) who had moved the motion under discussion was a manufacturer, and he (Mr. Smith) did not remember a single instance during the present Parliament in which a farmer had endeavoured to impress on the House and the country that Protection to agriculture was really necessary. He found also that in another place gentlemen not following the agricultural business took the farmers under their wings. The first resolution proposed by the Dominion Board of Trade last

year was in favour of agricultural Protection. He did not know why that body specially wished to take the farming community under its wings. In November, last year, a large and respectable meeting of manufacturers from different parts of Canada was held for the purpose of considering interests more immediately belonging to them. The first resolution passed by that meeting, at which no agriculturists was present, was in favour of protection to agriculturists. It was a mystery to him how Americans could come here and buy our wheat, pay the enormous duties about which so much was said, pay commissions and freight, and bring it back to this country and undersell Canadian millers. The hon. member for Centre Wellington had taken up the different cereals, crops and products of the farm. He would confine his remarks, so far as statistics were concerned, more immediately to Ontario, which would probably be satisfactory to the hon. gentleman and himself, for they both hailed from that Province. During the past year, the Province of Ontario had imported 179 horses, and exported 3,598, which was equal to twenty to one. He could not understand how it could be shown that by levying a heavy duty on those 179 horses that Province could be benefited and the American market opened up for a freer trade. Of horned cattle, there were imported 447, and exported upwards of 10,000—in other words, we sent the Americans twenty-six animals to one received from them. He was equally at a loss to understand how, by levying heavier duties on those animals, it would open up the American market for our horned cattle. Among the most important animals on the farm was sheep, of which Ontario imported 7 and exported 159,573. Reference had been made to the grain which was imported. A large quantity of wheat was brought into this country. At the present time the price was about \$1 per bushel, while ten months ago it touched as high as \$2 in the Canadian market. How did that rise of price occur in Ontario. Was it because of the short crop on the other side that the Americans had thrown their wheat on that market, or was it that the Americans flooded

the market with wheat? The introduction of American wheat neither caused the remarkable rise, nor the reduction from \$2 to \$1 per bushel. The cause existed across the water in Europe. England ruled our markets for grain and flour, and when hon. gentlemen opposite came to discuss those questions with the farmers, they would find that they quite understood the motives which had induced the recent action of the Opposition. Of the Ontario barley crop a small portion was sent to England, but the great bulk, for a number of years past, had gone to the United States; and, notwithstanding the American duty of 15c. per bushel, while American barley was admitted here free, Canadian barley had averaged, for the last 10 years, 20 per cent. more than when there was no duty. He could not understand if such was the case—and they knew it was so—how the American duty had much effect on our markets; and he was satisfied the Americans paid the duty on that grain. It had also been urged by hon. gentlemen opposite that the sale of Canadian oats was injured by the introduction of American corn. He remembered two years ago meeting with a lawyer in this city, who complained bitterly of the policy of the Government in allowing corn to be brought in duty free to compete with oats grown in this country. He asked that gentleman how he, being a professional man, was particularly interested in the manner; to which he replied that he was also a large farmer, and had had a large quantity of oats stored for two years, and the action of the Government allowed American corn to come in here, which was bought up by the lumberman instead of the home-grown grain. This gentleman complained because the lumberman, who, perhaps, suffered as much as any other class in the depression, and who yet did not wish protection on lumber, was permitted to purchase American oats and corn if he could obtain them at cheaper rates. Reference had been made to the large quantity of corn brought into this country, and to the manner in which it competed with our coarse grains. During the past year, upwards of

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6,750,000 bushels of corn were imported into Ontario. It was said that the vast proportion was brought in for distilling purposes; but, he found on examining the statistics, that less than 1,000,000 bushels, or perhaps one-seventh, was thus used. The balance had, therefore, been used by our farmers. He admitted that the quantity was very large, and that it could scarcely all have been thus used, but there could be no question that a very large portion had been used by our farmers. At the present time, 100lb. of corn could be purchased at Toronto for about 38c.; 100lb. of oats for \$1.05; 100lb. of peas, \$1.12; and 100lb. of barley, \$1.15. If, therefore, Ontario farmers had been using that large quantity of corn, they would have exchanged their coarse grains, worth more than \$1 per 100lb., and purchased corn at the rate of 83c. If this Government were to levy a duty on corn, how would it benefit the farming class, which hon. gentlemen opposite were so desirous to protect? The next thing that the hon. gentleman had found fault with, was with regard to our dairy produce. The hon. gentleman made quotations to show that large quantities of butter and cheese were exchanged between these two countries. He (Mr. Smith) did not know the ground for complaint with reference to those important articles. The duty on butter was the same in both countries. The American duty was four cents a pound, and the Canadian duty the same. He would like to know what hon. gentlemen opposite desired, and whether they wished to increase the duty above the American figures or not? The duty on cheese was almost identically the same, though a little higher on the American side; but he did not know, for his part, what we would gain by raising the duty on this important article. Another article was often looked upon as of very small importance, but which, nevertheless, figured pretty largely in our returns. He referred to eggs. We sent to the United States, during the past year, something over 3,000,000 dozen, worth one-third of a million of dollars. Eggs were free both ways, and he was at a loss to understand how we would be bene-

fitted by levying a heavy duty on them. The hon. gentleman had dwelt for some considerable time on other articles on which the duty was almost precisely the same—a cent a pound duty was levied on pork, beef and mutton, but there was a slight difference in the duty on dried meat. He was at a loss to understand how we would be benefitted by levying heavier duties on these important articles. He was told by lumbermen that the importation of American pork was most important to them; and if the farmers in Canada could not produce pork with a protection of one cent a pound, and freight, they ought to quit raising it. As a person following this pursuit, he believed so too. He might just say that he was convinced that the farming population of Ontario were not asking for Protection. They did not want it; and he did not see why hon. gentlemen should force on this class that for which they did not ask. Nay, more; had there been a solitary petition ever presented to this House during this Parliament, and the last five years, from the farmers of any portion of Ontario, requesting Protection for themselves? If such a thing had taken place, he was not aware of it. Then, upon what basis or grounds did these hon. gentlemen base their arguments to the effect that the farmers of Ontario were seeking Protection? He, for his part, did not know. Moreover, at the different meetings held, and at the picnics to which the hon. member had referred, that took place last year, he thought that the leading gentlemen who attended them, would fail to remember a single instance when Protection was demanded by farmers. In his own county, during last summer, he had held six or eight meetings, at which farmers were generally present, and, in only one solitary instance, had he met a single farmer who desired their produce to be protected. The farmers asked for nothing of the kind, nor did they want it. The very moment that this question was brought before them, the answer almost invariably was, that they quite understood that the very moment their produce was protected, the object would be to levy heavier Customs

duties on other articles, which, instead of benefitting them, would take money out of their pockets. There was another side to this question. They must remember that almost every constituency, and even the constituency which the hon. gentleman represented, as well as the one he (Mr. Smith) represented, contained, besides a large number of farmers who were producers, a very large number of people who were consumers. They had towns and villages scattered over the country; and in all of them there was more or less manufacturing going on, and a greater or less number of poor people. In all these places the consumers numbered, probably, as many as the farmers themselves; and certainly, if by levying these duties the prices of farm produce would be raised; of course it would have the effect of increasing the prices of breadstuffs and the necessaries of life to the consumer. He could say that, not only the farmers of Ontario, as far as he understood, but also the farmers of his own county, did not want Protection. He knew that the farmers were prosperous, and that, probably, few people in Ontario lived more comfortably than the farmers of Ontario. It had been asserted in the House that many of our farmers had their farms mortgaged; but those with whom this was the case, and who had their farms encumbered in any way, were, as a rule, the most thrifty they had in Ontario. Comparatively few had their farms mortgaged, except for the purpose of purchasing other real property, so that, in this matter, the farmers of Ontario asked for no Protection whatever; and it was just as well that they should be understood on this point, and, perhaps, the farmers in the House should express their views upon this question. It was strange that no farmer in the House had ever advocated, touched upon, brought up or advocated this Protection. Reference was made to the bringing of cattle through Canada from Chicago to England. This was the case; but these cattle, in all probability, would come through at any rate. He did not know what would be the affect if they could be brought through in bond, as the hon. gentleman

said, could be done. But what would be gained by it? They were now, in a sense, brought through in bond. Ten per cent. duty was levied on cattle coming into Canada, but he was at a loss to understand how that would be gained if this duty was increased to 20 or 25 per cent. on cattle which were brought from the far West, over our great highways, whether by water or by rail, or what would be put in the farmers' pockets if this policy was carried out. There was an argument that had been used a good deal, not, perhaps, in the House, but in other places, in respect to our agricultural implements. It was stated that the agricultural implement makers complained that there was a very heavy duty on their implements if sent to the other side—40 or 50 per cent., while the duty on such implements coming in here was only 17½ per cent. He thought that if they looked into this matter a little, as far as Ontario was concerned, they would find that, during the past year, there had been brought into this Province something like 29 mowing and reaping machines, valued at \$3,195; this was a mere fraction of the number made in this country, a mere nothing, and it could not affect the interests of the large number of agricultural implement makers in Ontario. This number would scarcely give one quarter of a machine for each county in the Province. On the machines a duty of \$549 had been paid; and, supposing they had been kept out of the country, he would have been at a loss to understand how this fact would have benefited even the manufacturers of these implements. He was very sure, however, that if they had been kept out, this fact would not in any degree whatever have affected the interests of the farming community.

MR. DAVIES said that about three-fourths of the population of the small Province of Prince Edward Island were engaged in agricultural pursuits; and, therefore, if Protection was a good thing for the farmers of Ontario, he thought that it would also be a good thing for the farmers of Prince Edward Island; but the farmers down there were quite as

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well aware that Protection would be of no benefit to them as the farmers of Ontario, as the preceding speaker (Mr. Smith) had represented. They had no Protection at all in Prince Edward Island. Isolated as they were, they could not have any large manufactures, and so they confined themselves pretty much to raising agricultural produce and rough manufactures. He found, by looking over the statistics of 1876, that they exported that year 1,720,000 bushels of oats, besides supplying the neighbouring Provinces of New Brunswick and Nova Scotia with what they required, which was a very considerable quantity, as these Provinces did not grow enough for their own consumption. Their farmers knew perfectly well that the price in Europe governed the price of their oats, and the half-million bushels which they sent to New Brunswick and Nova Scotia had no appreciable effect on the market. The price rose and fell with the quotations in England and France, where they exported the largest quantity; and the demand in Nova Scotia, New Brunswick and Newfoundland had hardly any effect on the price. Sometimes, towards the close of the season, when the crop was exhausted, and a sudden demand arose for small quantities, they might have some little effect on it; but it had no effect at all on the main export. They raised a very large quantity of potatoes. Their soil was particularly adapted for this purpose; and, if they had the market, they could almost supply the Dominion with this article, but they were shut out from the United States market, in ordinary seasons, by a protective duty, and hence their farmers had only produced to a limited extent this root. He saw by the returns for 1876, that they exported 1,300,000 bushels of potatoes to the United States, where the crop that year happened to be very poor; and the consumers in the United States had to pay the duty levied, 15c. a bushel in gold, besides giving them a very good price beside. But, in ordinary years, this duty acted as a prohibitory duty, and they could not send potatoes to the United States. They had quite a large export of eggs to the United States, and they had no

Protection on this article. They could send their dried fish to that country and this gave them a choice of the market, but a very large proportion of their fish went to the West Indies, and England; last year they exported 10,000 quintals. Their farmers had a slight Protection on pork, of which they raised a large quantity. Before the recent regulations were adopted, the fishermen of Nova Scotia, who used a great deal of pork, were allowed to take it in bond to the fisheries; and he could not see why this should not be done. It was rather hard to compel the fishermen, who had no Protection, to pay a duty of \$2 a barrel on pork in order to protect the farmers. They were ship-builders and fishermen, besides being farmers; and they only manufactured small manufactures to supply those other businesses. In 1876, they sold 36 ships, valued at \$327,000. Their shipwrights and ship-builders had no Protection at all. As far as they were concerned, Free-trade, pure and simple, would be the best thing for them; as for the idea of their farmers, by having a duty on oats or any of these things, shipping them up here, was out of the question. The distance entirely prohibited it. Besides, the farmers of this part of Canada produced the same articles. They could grow very good wheat but it was not a safe crop; and therefore, their farmers principally confined themselves to other crops which were certain; and they would consider it a great hardship if they were not allowed to purchase the flour they required freely. It was quite true that a very large proportion of it came from Ontario, for the people preferred it to American flour, considering it better and superior, and not so much mixed. There were other things which they were obliged to get in the United States, on which they had no Protection. Before they came into Confederation, they obtained the largest part of their manufactured goods from England, but now that market was supplanted in this relation by the Dominion, whence they obtained coarse tweeds, wooden ware, and boots and shoes. On English goods a duty of 17½ or 20 per cent. was levied; and in the natural course of trade, these

articles now came from Dominion manufacturers, for which their farmers were taxed. They did not complain of a moderate incidental Protection. They knew very well that it was desirable, although they themselves could not, from their insular position, manufacture largely, that manufactures should be built up in this Dominion; and hence they did not object to a moderate incidental Protection. He almost thought that this Protection was already too great, and that Canadian manufacturers should be content with the Protection which they now enjoyed. He saw that his hon. friend from Queen's (Mr. Pope) had changed his opinion since last year on this subject, but, perhaps, the policy of the Opposition did not mean much. He thought that the readjustment of the tariff, if the Opposition acceded to power, would be so small as not to amount to anything, though perhaps hon. gentlemen opposite might not lose any votes by this policy and catch a few. He was, however, quite certain that the people of the Maritime Provinces were Free-traders. It was their interest to be so, and they would find extreme Protection a hardship in view of their position by the sea, and the fact that almost all their trade flowed into other countries. They could not have a large inter-provincial trade, and they would not wish to be taxed to a greater extent than was now the case. The present taxation was just as much as the people could bear. They were already taxed to support the Federal Government besides having local taxation. They knew how bad times had been, and he thought that to add to the burden of taxation would be more than the people, at the present time, could endure. This was one reason why, although they would like to see the Canadian Pacific Railway completed, they feared that this would be more than the circumstances of a new country would permit. He was afraid that his hon. friend from Queen's would find it a hard matter to persuade his constituents, unless he clearly defined what this readjustment of the tariff meant, that his vote was right and proper. If such readjustment meant a large increase of the Customs duties, and increased prices for their con-

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sumers, he feared that the latter would not relish this sort of thing.

MR. POPE: I would suggest to the hon. member that he had better speak for himself.

MR. DAVIES said he presumed that he could criticise, to some extent, the position which his hon. friend had taken, more especially as the hon. gentleman had, last year, voted in the opposite direction. This year, the hon. gentleman had changed his views. Of course he had reason to find fault with the hon. gentleman, who would have to explain this change to his constituents; but he was afraid that the hon. gentleman could hardly do this satisfactorily, unless he could convince them that this readjustment of the tariff meant nothing. He had watched pretty closely the proceedings of this Government; and he thought that their policy was a wise one. They had lost no time in completing the survey of the Pacific Railway; and they were now able to judge this question a little. The Island railway was put up very hurriedly—in a few weeks, indeed—without proper plans or surveys; the result was that it was the laughingstock of the Provinces. The railway was a very inferior one, but they paid very dearly for it. It was stated the other day by another hon. member that it was desirable this survey should be extended to Peace River. He thought so too, but he hoped the Government would not lease that line until they had completed the survey. The policy of the Government had been to push on that work as far as their finances would admit, but as, during the last few years, there had been a great depression of trade, perhaps they had expended more money in this way than their circumstances warranted. The Province from which he came was adverse to any increase of taxation, being of opinion that they had quite enough to pay. The manufacturers had quite as much Protection as they desired, and some of them would be glad to have a few per cent. less.

MR. BURPEE (Sunbury) said this resolution before the House was one professedly in the interest of the farm-

ers; it referred entirely to the duty on wheat and flour. The fact was that the wheat-growing portion of the Dominion was the smaller portion, and what might be for the interests of that particular district might not be for the benefit of other parts. He thought that the question should be treated from a Dominion standpoint, and that no sectional policy should be pursued by the Government or by the House. After the speech by the hon. member for Peel, in answer to the remarks made by the hon. member for Wellington, he need scarcely say anything on the subject from the standpoint of Ontario, which was the principal wheat-growing portion of the Dominion. The arguments adduced by the hon. gentleman were unanswerable. He had shown that what was asked would not be in the interests of that portion of the Dominion for which it was particularly demanded. The question had taken a wide range. Hon. members had dealt not only with the question properly before the House, but with the whole question of Free-trade and Protection. The agricultural interest was one of great importance in Canada; it was of the first importance. It was computed that the value of farms and farm property in the Dominion approaches \$1,000,000,000, while the annual products approximated to something over \$200,000,000. The whole stock or capital employed in manufactures was stated by the last census as something under \$80,000,000, which showed the great preponderance of the agricultural over the manufacturing interests. As one who had some knowledge of farming, and as representing an agricultural constituency, his impression was that this proposal was not in the interests of the farmers of the Dominion, and would be received with no satisfaction, but with great disfavour by the Province from which he (Mr. Burpee) came. About 30,723 bushels of corn were imported into New Brunswick, 83,434 barrels of meal, and 61,216 of wheat flour, the aggregate value of which amounted to \$659,427, according to the Trade Returns for 1876-7. In Nova Scotia they imported 105,976 bushels of corn, 136,294 barrels of corn meal, and 121,039 bar-

rels of wheat flour, of an aggregate value of \$1,202,046. In Prince Edward Island they imported 9,663 barrels of corn meal, 16,225 of wheat flour, and 463 bushels of corn, the aggregate value being \$101,619; making altogether an aggregate of these articles to the value of \$1,963,000 imported by the three Maritime Provinces from the United States. They might be asked why they did not import their flour from Canada? The fact was they did import the largest proportion of wheat flour they used from there, but the nature of the trade carried on between those Provinces and the United States, where flour formed a return cargo for vessels carrying our products to their markets was such as to make it convenient and profitable. Besides, the geographical position of the country was such, and the expense of transportation between the Maritime Provinces and the West so great, as to seriously interfere with the importation of flour in Ontario. On entering the Union, the people of New Brunswick were led to believe that intercolonial trade would be facilitated by the construction of the Bay Verte Canal and the Intercolonial Railway, by a commercial route. He hoped he would not be called to order if he said something about railways in this discussion, as the member for King's, P. E. I., had been. Our Intercolonial Railway had been located rather from a military than a commercial point of view, which increased the distance and enhanced the transportation to New Brunswick. As yet, water communication between the Bay of Fundy and the West involved the necessity of the long and dangerous journey around Nova Scotia. They had expected to have the canal across the isthmus, and that an intercolonial trade would spring up between the Bay of Fundy and the Upper Provinces through that means. This had not been carried out. And in view of these difficulties of transportation it would be very unfair for Ontario to impose a duty on flour. The old National Policy inaugurated or, at least, promoted by the hon. member for Cumberland had the merit, or pretended merit, of tending to encourage intercolonial trade. He proposed to

tax flour, meal and coal. The resolution before the House had not that merit; it was certainly a very narrow and very objectionable one. If we protect one industry, we must, in all fairness, protect the whole round of industries. To protect all would increase the cost of living to all parties, and, in effect, amount to no protection at all. In New Brunswick, the farmers depended very much on the lumbering interest. When the lumbering interest flourished, better prices were obtained by farmers than when the case was otherwise. If, therefore, the interests of the farmers were protected, the interests of the lumbermen must be protected as well, and that was a problem which hon. gentlemen opposite had failed to solve. There were also other interests similarly situated, and which could not be protected, such as fishing, ship building, etc. To enhance the price of bread stuffs to those employed in those industries, would only be to add to burdens which were already too great.

MR. POPE (Queen's, P.E.I.): This motion comes from the other side of the House.

MR. BURPEE said he should have been very much surprised if it had come from the hon. gentleman who had made the interruption. He was not surprised that the hon. gentleman should be a little uneasy about the motion. He (Mr. Burpee) would feel more at ease in voting against the motion than the hon. gentleman would in voting for it, in view of the approaching elections. The cry of Protection had not come from the farmers, as had been well stated by the hon. member from Peel. It was a notable fact that the cry for Protection had come from the manufacturers; and, speaking on behalf of the farmers of the Maritime Provinces, he might say that they did not want Protection. In order to strengthen this cry for Protection made by manufacturers, the interests of the farmer were dragged in. They attempted to induce farmers to believe that if the price of all articles were enhanced their interests would be benefitted. He had too high an opinion of the intelligence of the farmers to think them gullible enough to be de-

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ceived by such sophistries. Another class which seemed very anxious to look after the interests of farmers was the politicians who, in this House, chiefly belonged to other professions. The manufactures of this country were not in a languishing state; as compared with other countries they were in a very satisfactory condition. The manufacturers of Canada were better in circumstances than those of the United States, and he did not think there was any necessity, on their behalf, to put a further duty on flour or to increase the tariff, which was already  $17\frac{1}{2}$  per cent., and with an additional  $2\frac{1}{2}$  per cent., as the cost of importation would, amount to 20 per cent. in all, which he considered quite enough Protection. Before the Union the tariff of New Brunswick was  $12\frac{1}{2}$  per cent., while that of Nova Scotia was only 10 per cent. Prince Edward Island had also a low tariff, while Canada had a tariff of  $17\frac{1}{2}$  to 20 per cent. Immediately before the Union, the tariff of New Brunswick was raised to 15 per cent., and that of Canada was lowered to the same rate; since then the tariff had been increased to its present rate. He hoped that when trade had resumed its normal condition, the revenue would be such as would justify the administration in reducing rather than increasing the tariff, and in that way lessen the burthens of the people. An hon. member from the other side of the House, the member for Centre Wellington, stated that the manufacturers would be satisfied with a tariff of from 20 to 25 per cent. As one of the representatives from the Lower Provinces, he (Mr. Burpee) believed such a policy would be viewed with alarm as most detrimental to their interests, and against which, as well as the duty on flour, he would enter his most emphatic protest.

MR. McCALLUM said he thought, from the arguments of some hon. gentlemen on the opposite side, that they came to the House not to represent their constituents but to represent themselves. He thought his hon. friend from Centre Wellington deserved the thanks of the agriculturists of the Dominion for looking after their interests in the House. It was all very



well if Free-trade could be got. It was the duty of the House, however, to legislate not for the interests of the fishermen of Prince Edward Island, or the lumbermen of New Brunswick exclusively, but for the interests of the whole Dominion. The lumber trade was not so important a branch of industry as agriculture, because lumberers merely brought down the crops which had been growing for hundreds of years. He thought, indeed, we should husband our resources in that respect, and in years to come the lumber of this country would bring money. He would like to see a re-arrangement of the tariff, not to collect more money from the people, but to place a duty on articles which came into competition with our home industries. He was desirous that the farmer of the Province of Ontario should send the products of his farm to Nova Scotia, and that the coal of Nova Scotia should come into Ontario, as that would be a means of encouraging provincial trade. But some members of the House had said, "If you do that, you will be robbing Peter to pay Paul, and robbing Paul to pay Peter." If they did that, however, nobody would be robbed in the end; those hon. gentlemen never forgot besides that "Sam" stood outside and was robbing Peter and Paul to the extent of 20c. on the dollar. He contended that it was prejudicial to the interests of the Dominion of Canada. The more they conserved their own trade and kept money in the country, the greater encouragement would they give to the agricultural and manufacturing interests of the country. It was not by sending their wheat or their flour 3,000 miles away, at a loss of 50c. to 60c., that we would be so much benefitted, but by preserving our home markets. By keeping our own markets open, employment would become more plentiful and population would increase. In the United States, they had adopted the wise policy of protecting their manufacturing industries, and by reducing the price of articles, causing increased competition, so that the manufacturers of that country could, after paying 17½ per cent. duty, slaughter some of their products in our markets and destroy our industries.

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

## After Recess.

### PRIVATE BILL.

#### THIRD READING.

House *resolved* itself into Committee on Bill (No. 30) To grant certain powers to the Agricultural Mutual Assurance Association of Canada, and to change its name as amended by Standing Committee on Banking and Commerce.—(Mr. Macmillan.)

Bill *ordered* to be reported.

House *resumed*.

Bill *reported*.

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

### CANADIAN SOUTHERN RAILWAY COMPANY BILL.—[BILL No. 6.]

(Mr. Thomson, Welland.)

#### SENATE AMENDMENTS CONCURRED IN.

MR. HOLTON moved the second reading of the amendments made by the Senate to the Bill (No. 6) To authorize and confirm the scheme of arrangement of the Canada Southern Railway Company.

MR. McDOUGALL (East Elgin) moved the following amendment:

"That said amendments be not now read a second time and concurred in, but that the second amendment be amended by inserting after the word 'in' immediately before the word 'Canada' in the 5th section, the following words: the town of St. Thomas, in the County of Elgin, Province of Ontario."

MR. HOLTON said the amendment was out of order.

MR. SPEAKER: When a Bill comes down from the Senate, those amendments can either be concurred in or rejected altogether, or what are called consequent amendments may be made to them; that is, an amendment to the amendment.

MR. LANGEVIN said the amendment made by the Senate provided that these workshops, etc., be located in the Dominion of Canada. The hon. member for Elgin moved that they be located at a certain place in the Dominion of Canada. That motion was a consequent amendment; an amendment to the amendment made by the Senate.

MR. HOLTON said they could not propose, even as a consequent amendment to the amendment of the Senate, the reversal of the decision of this House. The motion which the hon. member for Elgin now proposed had been made in this House, when in Committee on the Bill, and had been rejected, and, consequently, could not now come up again as an amendment to the amendment of the Senate.

MR. LANGEVIN said the hon. member for Elgin had made his motion in amendment on the third reading of of the Bill, and it had been rejected. The Bill then passed the House and went to the Senate. In the Senate, suppose the hon. member for Elgin had obtained the insertion of his amendment in the Bill, the Bill would have come down with this amendment, and the House would be again in a position to vote upon it.

MR. HOLTON: When the Bill came back we would have had an opportunity of receding or insisting upon our present vote. Instead of doing that, the Senate has made an amendment not at all touching that action.

MR. SPEAKER: I recollect distinctly that the hon. member raised the question that the workshops and offices should be at the town of St. Thomas. The House passed upon that and negatived the proposal positively.

*Amendment read the first and second times and agreed to.*

#### SUPPLY.—THE TARIFF.

Order for resuming adjourned debate on Mr. Cartwright's motion for the House to go again into Committee of Supply, and of Mr. Brown's motion in amendment thereto, *read*.

MR. McCALLUM said hon. members might state that Protection had been injurious to the United States, but he thought otherwise. He should be glad to see the day when this country would be in such a prosperous condition as the United States was to-day. He should be glad to see the day when this country would produce, both in manufactured articles and in agricultural products, enough to support our own people and have a large balance to sell

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to the world, so that we might have the balance of trade in our favour. Hon. gentlemen had said a great deal about the depression in the United States; but what was the fact? That country, this last year, after having produced sufficient for its own people, had sold to other countries a balance of \$166,000,000 worth beyond what they bought from other countries. We in Canada, on the other hand, had not produced sufficient to support ourselves, and it was the old story, which was to be found in "David Copperfield," that, as long as we expended more than we produced, we must go to ruin; that, with an income of one pound and an expenditure of 19s. 9d., the result was perfect happiness; but the expenditure of 3d. over the income resulted in perfect misery. Hon. members said that over-production was worse than over-importation. He differed from them, because, if they produced more than they consumed, they had the people employed in producing it; but if they imported more than was necessary for consumption, more than they had the money to pay for, they ran the country into debt,—that was if they ever intended to pay it. But hon. gentlemen said they never intended to pay it. Of course, it would be said that if they put a duty on flour they would raise the price of bread stuffs, and consequently the price of bread to the poor man. He was not so sure of that, but admitting it for the sake of argument, if they did that, would they not give him employment? Was it not better that a man should pay \$10 a barrel for flour if he got \$2 a day for work than that he should pay a lower price if he only received 50c. a day? The United States, from 1860 to 1870, had increased their population some 20 per cent. or 25 per cent. while in this country, notwithstanding all the money spent on immigration, our population during that time only increased about 18 per cent. If they left out the immigration, they would find that our increase in that time was less than 12½ per cent. or 1¼ per cent. a year. That was not the natural increase of the population of this country. But we were a feeder to the United States, because we could not give employment to our own people; and they, therefore,

sought it in the United States, and there manufactured and produced those very articles which we ought to produce in this country. He would have much preferred that the hon. gentleman who had introduced this motion should have included in it all the other articles which needed Protection. Why was this motion made? Were these gentlemen going back on the Government that they had been supporting for four years? They now told the Government, "We have no confidence in you; we wish to put our house in order; an election is coming on, and the farmers of Ontario know that the Government is not doing what is right." That was the effect of this motion. These gentlemen wished, by this one vote, to make their peace with the people of this country, and to have all the sins which they had committed during the last five years condoned. If the resolution did not mean that, it meant nothing; but he would tell the hon. gentleman that death-bed repentance was not the best kind of repentance, and that, as far as he had read, there was only one instance on record where any man had obtained forgiveness at the eleventh hour. He would have liked to see coarse grains included in this motion. He was a farmer, although he also carried on other business, and he could speak feelingly. It had been said that they ought to protect the lumbermen. He had been a lumberman as well as a farmer, and he knew that corn coming into this country came in contact with the coarse grains of the farmer. When these coarse grains rose above a certain price, corn came in and knocked down that price. What encouragement was there to-day to till the soil? The Finance Minister said that his only hope was the settlement of the wild lands and the natural increase of the country, but if he allowed the Americans to come in here with their products free of duty, what encouragement was there to settlement? If a farmer had a small crop, he wanted a good price for it; but he could not get it, because produce came in from the United States and knocked down the price. He (Mr. McCallum) would vote for this motion, though it did not contain all that he

wanted. The member who had seconded it had voted against the same thing before. Although this was not all that was wanted, it was a part of it. These gentlemen knew their motion could not carry, because the people of the Maritime Provinces must vote against it, as it gave them no equivalent. They desired to raise the cry that, if the tariff were enforced, more money would be taken out of the people. But they did not want more money than could be legitimately expended. The re-arrangement of the tariff did not imply that more money would be taken from the people than was now taken; but, if they included the agricultural, the manufacturing, and the mining interests, they would offer encouragement to the people of the Lower Provinces, as well as to those of Ontario and Quebec. He would vote for the motion, although he was satisfied it would not carry. If it did carry, perhaps hon. gentlemen opposite would cross to the Opposition side of the House; and then the present Opposition could re-arrange the tariff—as he expected to see them do shortly—so as to do justice and give fair play to every industry in the country.

Mr. GREENWAY said that, coming from an agricultural constituency, he might naturally be supposed to have an interest in agriculturists. The House had before it for once a motion by which it was proposed to benefit one particular interest. If there was anything in Protection, he thought this was the true way to get at the matter; but he could not understand how the farmers were to be benefitted by Protection. The first clamour for Protection had come from the manufacturers. They were now told that Protection did not mean an increase in the price of the articles protected, and the hon. member for Centre Wellington (Mr. Orton) had told them that it would not increase the price of manufactured goods, but it would increase the price of agricultural productions. He (Mr. Greenway) could not understand that argument. The hon. gentleman had gone on to show by some figures that the high protective tariff of the United States had had the effect of increasing the price of agricultural

products there, while previously he had stated that Protection to manufacturers did not increase the price. If it were true that Protection in the United States had increased the price of agricultural products 25 per cent., what had the Canadian farmers to fear from the importation of those products. He did not think the trade question, as viewed by hon. gentlemen on the Opposition side, would bear a thorough scrutiny. If their proposals meant anything, they meant Protection to the manufacturers and a higher price for the goods they manufactured. He did not understand the argument that Protection would not increase the price of goods. But, he could easily understand how the farming community, the consumers of this country, could be deprived of going into the cheapest market to buy certain kinds of goods which they now went there to buy if the policy of the Opposition were to be carried out. He could mention several kinds of goods to which this remark would apply. For example, we went to the American market to buy cut nails, an article which entered into everyday consumption. They obtained a good article, which had driven the manufactures of Pillow, Hersey & Co., of Montreal, out of the market, for a number of years, though such was not the case at present, because the American article was of much better quality. If it was desirous to protect that interest, the people would be compelled to use an inferior article, and to pay the price which Canadian manufacturers thought proper to charge, and be deprived of going to the United States for such articles. Other goods might be cited, such as axes, cutlery, etc., but it was not necessary to enumerate them. The people in the western portion of the country had had an example of what high protective duties would do for them. He referred to coal oil. A high protective duty was placed on that article, which resulted in "rings" being formed; and when the price of oil in Cleveland ranged from 10c to 17c. per gallon, we were paying, on account of that high protective tariff, from 40c. to 45c. Last Session, the Government reduced that duty. It was stated, however, that under the

existing law, "rings" could be formed equally as dangerous as those which previously existed. That was not the case. The reduction of the duty had been advantageous, and the price of coal oil had been reduced to 20c. and 25c. per gallon. Suppose the argument was correct, that it was possible, by imposing high protective duties, to increase the price of agricultural products, the necessities of life would be increased in price, according to the calculation of the hon. member for Centre Wellington (Mr. Orton) to the poor people, who formed the majority of population, because this was a new country, and not much wealth was distributed through it. The adoption of such a policy would, moreover, introduce a wrong principle, that of making this a dear country to live in instead of a cheap one. What Protection did hon. gentlemen opposite offer to the poor labouring man? These was a class of the people who, although the Opposition, in all their resolutions, had endeavoured to embrace every class, had been omitted. He thought the reasoning of the hon. member for Centre Wellington with regard to the losses sustained by the farmers of this country, was very remarkable. He supposed that the farmers lost 5c. per bushel on his wheat on account of the competition of the American articles, which came in duty free. He next took cattle, and estimated that each farmer sold two annually and lost \$10 per head, on account of the duties. According to that reasoning, the farmer lost more on the cattle than on the wheat, which was not affected. According to that argument, \$63 was lost to each farmer's family. If the poor man was called upon to pay 25 per cent. more for the necessities of life, \$100 might be added to the cost of the support of each family. After the hon. member for Centre Wellington had laboured to show the necessity to us of the markets of the United States, he wound up his remarks by declaring that we could live without the American people. He agreed with the hon. gentleman, and thought the sooner we began to understand this matter thoroughly, the better it would be for ourselves. He did not view the abrogation

of the Reciprocity Treaty as an un-mixed evil, because the people of Canada had been led to look to other markets, and they were finding other markets for their products. It was not, therefore, necessary that we should look to the United States, or that we should regulate our tariff by the tariff of that country. It behoved us to look to our own interests. If the resolution before the House meant anything, it meant to make the poor man in the outlying districts of the Dominion to pay more for the necessaries of life, without giving to the farmer of Ontario any advantage. He could understand an hon. member offering a resolution in favour of imposing a duty on Indian corn. Such a proposal might, at first sight, seem plausible; but the hon. member, unfortunately for himself, had referred to a gentleman who was engaged in exporting cattle to the Old Country, who had declared that if the Canadians, if expected to compete successfully with the western agriculturists of the United States in raising cattle for the English market, they must use Indian corn; and if that were true—and he had heard the same statement from other quarters—they must obtain the corn for feeding stock as cheaply as possible. It was an undeniable fact that in many localities in the Dominion, wheat had been grown to such an extent that farmers would have to look to stock-raising for their profits. They were told that the exportation of live stock to Great Britain was a very remunerative business, and Canadian farmers would no doubt engage in it to a large extent. In many districts they would be compelled to turn their attention to that branch of farming, and they would require Indian corn for their stock. It was palpable that the people in certain localities required Indian corn, for this was not a corn-growing country; and as they wished to obtain it as cheaply as possible, they did not desire a duty to be placed upon it. It was a mistake to suppose that the farmers were clamouring for Protection; they neither desired it nor asked it, and he believed it was the greatest mistake which the Opposition party could commit, to raise the cry of protecting the

industries of this country. It was amusing to notice the different policies advocated by those hon. gentlemen from the same standpoint, some advocating a retaliatory policy, others urging a reciprocal tariff. The absurdity of talking about retaliation at once appeared when they considered the trifling amount of Indian corn imported into Canada as compared with the whole export from the United States. What effect could the imposition of a duty of 20c. per bushel on the 5,000,000 bushels imported into the Dominion have on the legislation of the United States, when the total export was 200,000,000 bushels? It could have no influence whatever. He believed the policy which the Government had pursued was the true one in the interests of Canada. He believed that endeavouring to make this a cheap country to live in, and trying to give the poor people the necessities of life as cheaply as possible, was the true principle on which to act; and the Government deserved the thanks of the people, that they had been enabled to withstand the pressure brought to bear in order to induce them to protect certain manufacturing industries. The adoption of a protective policy was the greatest mistake, from a national stand point, that could possibly be made. It was well known that the tendency of young people was to get away from work, and the cry about Protection, and making people rich by Act of Parliament, increased that tendency. He repeated that the Protection cry was the greatest mistake that could be perpetrated by any party, and he believed that when the question was submitted to the farmers, as, no doubt, it would be at an early day, it would be found that the Government would be sustained by a sweeping majority.

MR. OLIVER said his only excuse for offering a few remarks on that important subject was that he represented an agricultural constituency. The hon. member for Centre Wellington (Mr. Orton), in the course of his remarks, had stated that English industries had been protected until they were able to compete with the whole

world, and then Free-trade was adopted by that country. He had obtained a statement respecting the duties that were imposed upon importations of certain manufactured articles into Great Britain in 1843, and he would read the schedule for the purpose of comparing the duties there referred to with those existing in Canada at the present time. In 1843 the duty on manufactured articles of all kinds was 15 per cent.; leather, 15 per cent.; cotton manufactures, 10 per cent.; linen, 15 per cent.; earthenware, 10 per cent. Those were the protective duties in force in England in 1843, and under those duties it was alleged that English manufactures flourished to such an extent they were able to compete with the whole world. The present Canadian duties on the same articles were  $17\frac{1}{2}$  per cent. He submitted that if English manufacturing establishment flourished under a duty ranging from 10 per cent. to 15 per cent. to such an extent that they were enabled to compete with the whole world, the fact that the Canadian duties were, at present, higher than they were in England at the time referred to (1843), established the proposition that Canadian manufacturing industries should be able to flourish and compete with the world now.

**MR. COLBY :** That was a year after the duties were reduced.

**MR. OLIVER :** 1843 was considered one of the protective periods; and it was not until 1853 that the Free-trade policy was inaugurated.

**MR. COLBY :** The low duties commenced in 1874.

**MR. OLIVER** said the following statistics would show what English manufacturers had accomplished since that period. The exports of cotton manufactures in 1843 amounted to £14,000,000 sterling; and in 1875, under a period of Free-trade, to £58,500,000. The exports of leather were £400,000 in 1843; and £3,018,000, in 1875; lineu manufactures exported in 1843 were £2,351,000, and in 1875, amounted to £7,272,000; woollen manufactures exported in 1843 £5,185,000, and in 1875 21,659,000.

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Earthenware at that time. 1843, £555,000, and in 1875 £1,858,000; metals of all kinds exported in 1843, were valued at £4,410,000, and in 1875 £39,270,000. He thought that these comparisons proved two things: (1) that if the British manufacturing establishments flourished under the Protection they were afforded at the time to such an extent as was stated, then there was no difficulty whatever in the Canadian manufacturers arriving at the same position; (2) that the manufactures of these goods had increased enormously since the era of Free-trade commenced, and that the exportation of these manufactures had increased beyond the most sanguine expectations of anyone who lived at that time. He was very glad indeed that they had before the House one amendment which they could fully comprehend. This was a motion which would be understood by the people of this country, and when the vote was being taken he apprehended that at all events a few of the gentlemen who had asked for Protection to all the manufacturing and agricultural interests of the country would be found voting against this motion. On the whole, it was probably well for the House and country that they had before them a resolution which they could fully understand. He would vote against this motion for one or two reasons. In the first place, even if he were in favour of protecting the agricultural products of this country, this was not the proper time to propose a measure of this kind. Hon. gentlemen knew that the United States Congress was now engaged in revising the tariff; and it would not be advisable to change our tariff until we saw what alterations the Americans proposed making in theirs. If there should be a disposition on the part of our neighbours across the line to lower the tariff on natural products of this country going in there, it would be an unwise policy to alter the regulations on that matter in force in this country—at least until the result of the present deliberations of the United States Congress was made known. They knew that the attempt was made very recently to guard against smuggling, and that a duty was put upon malt coming.

in here from the United States, in this relation, during the past year; but the effect of this, in the United States, was, that an attempt was there made before a Committee of Congress to double the duty on malt going into that country. It was one of the greatest fallacies that any man could imagine to suppose that we could force the people of the United States to give us reciprocity by placing higher duties on those classes of their products which were imported into Canada; and to imagine that a country with only four millions of people could compel the United States, a vast country with, at least, 40 odd millions, to give reciprocity by a measure of this kind, was, he thought, the greatest folly that could be entertained or spoken of by any one. This was one of the reasons, though not by any means the only one, why he would vote against this motion. He was entirely opposed to any measure of that character. There was a time in the history of this country when, perhaps, such a policy as was now proposed, might have done some good. He saw the hon. member for West Hastings (Mr. Bowell) smiling across the floor of the House, and he knew very well why.

**MR. MITCHELL:** The cap fits.

**MR. OLIVER** said there was a time when a measure of this kind—when we had full control of the navigation of the St. Lawrence, and of our fisheries and everything that related to the Canadian people—would, perhaps, have done some good. In fact they were positively sure of this, because when we had reciprocity with the United States, we knew that it was in consequence of our fisheries; and if we now had full control of them, and of the navigation of our waters, there might be some sense in a movement of this sort; but we had now nothing in Canada that the people of the United States cared very much about. Of course, they wanted to sell us as many goods as possible, and to buy every article which we had they required; and it was desirable that this should continue. His next reason for opposing this measure was, because it would injure the millers in Canada. He could prove this statement. He saw his

hon. friend from South Leeds (Mr. Jones) smiling at this; but the hon. gentleman knew that the purchase of Canadian wheat for export was an advantage to the millers in Canada, and that there was an arrangement between the millers of this country and the owners of steamships that conveyed the grain across the Atlantic, that the latter should carry the raw material to England at a less rate than the manufactured material. Read the discussions which took place before the Millers' Association some two years ago, and hon. gentlemen would find it stated by the millers that the merchants who bought the raw material in Canada could carry it to England at a less rate per 100lb. than if it was manufactured, so that those who bought wheat in this country for exportation could pay a trifling shade more for it than if they were going to manufacture it, and, as a consequence, our millers had to supplement the amount of wheat they bought here with Western wheat. If they stopped the importation of the latter, and if our millers were compelled to depend entirely on the purchase of wheat in Canada, they would cripple the milling industry in this country, and the millers would not be able to keep their establishments running through the whole year. As a consequence, he maintained that if they crippled our milling industry, they destroyed the Canadian market and took the millers' agents out of the market. He, who only sent the raw material to England, purchased the wheat of the Canadian people, so that if they put an import duty on wheat, they would injure our millers, and, as a consequence, the Canadian market and the Canadian farmer too. But, was it a fact that an import duty, if put upon wheat, would increase its price? His hon. friend the member for Centre Wellington (Mr. Orton) had made a great many assertions during the course of his speech; but, he would submit it to hon. members whether one single assertion had been substantiated by anything like proof. He had not heard a single proof adduced by the hon. gentleman sufficient to justify the statements he had made. Was it a fact that even if they placed

a duty of 25c. a bushel on American wheat imported into Canada, that such an act would increase the price of Canadian wheat? He held that it could not do so. This was a principle laid down, which could not be moved; and it mattered not, so far as the Canadian farmer was concerned, whether the twenty-five millions of bushels of wheat that went from the United States to England passed through the United States or Canada. The British people required about one hundred million of bushels of wheat every year more than they raised themselves; and this wheat came from every part of the world where a supply of wheat was raised, and it was paid for and consumed in England. Our small quantity, about four millions of bushels, usually went over to England, but it made a very small part of the one hundred million bushels required there. If all this grain were to flow through Canada, it would not change the price of Canadian wheat one cent. Our wheat, the American wheat and the Russian wheat was sent to England; thus the wheat from these three countries was put into competition in the English market, and, according to the price paid there for that wheat, which was carried from all parts of the world, so was the price paid in the country whence it was imported.

**MR. BOWELL:** What has that to do with it?

**MR. OLIVER** said that it had a very great deal to do with it. There was proof positive that an import duty would not increase the price of Canadian wheat, while it would destroy our carrying trade and render our public works less productive than they were at the present time. What was the use of enlarging the Welland Canal, of deepening and improving the navigation of the St. Lawrence canals, and of improving the navigation of the St. Lawrence itself, if we were going to put a stop to the importation of American wheat? Did they ever see a man building a magnificent establishment for the sale of goods, and when he had completed it place a toll-gate at the door to keep people from entering? Why, it would

be just as wise as to build the Welland Canal and then to levy prohibitive tolls on everything that we expected to pass through it and the other canals too. Another reason why he opposed this motion was, because it was taken as a first instalment of a general protective measure. It was entering the thin edge of the wedge, and this would not satisfy the gentleman who advocated Protection. They must have protection on coarse grains, and manufactured goods coming into Canada; this was a step in that direction, and, because of this fact, hon. gentlemen in the House would vote for it. It was also true, as had been well said by hon. gentlemen that evening, that this was an attempt to delude the farmers of this country. It was a deliberate attempt to do so. The farmers had not asked for this measure. He requested the hon. member for South Wellington to point out any body of farmers that had done so, and to show him any organization of farmers that had demanded it. They had heard, a year ago, that 100,000 Grangers were to petition the House for this measure; but, when it was discussed on the floor of the House, and the Grangers knew its object, those that had signed the petition had their names removed from it. He repeated, without hesitation, that this was a deliberate attempt to delude our farmers. The origin of this movement lay with the manufacturers, who well knew that if they could induce the farmers to assist them in securing Protection, they would get it; until the farmers were able to do so, they would get no Protection. What they were attempting to do, was to try and make the farmers believe that Protection would benefit them, and that the manufacturers would not raise the price of their goods if Protection was accorded, thereby stating what they knew to be utterly fallacious. In the first place, it was a fallacy to say that Protection would benefit the farmer; and to pretend that they would not raise the price of their goods with Protection, was something more than a fallacy. The manufacturers in this country were not fools, and if they had the opportunity, they would raise the price of their manufactures. They would indeed be foolish if they did not

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do so; and the only object they could have in asking for Protection, was to effect this. The consequence of Protection would be that the farmers would not get one cent more for their products, while they would have a great deal more to pay for the articles they purchased. He opposed this measure again because, if it was brought about, it would be breaking faith with the people of the Maritime Provinces, who, when they came into the Union were promised that the tariff would be reduced. Consequently, the tariff in 1866 was lowered from 20 to 15 per cent., while these people raised portions of their tariff to 15 per cent. It so remained until the necessities of the country demanded an increase to 17½ per cent.; and if protection was granted on manufactured goods and breadstuffs in excess of what the country demanded, in order to carry on its affairs, this would be breaking faith with the Lower Provinces. He believed, also, that it would tend in a very great degree, to weaken the Union between us and those Provinces at the present time. He was not only amazed to find hon. gentlemen from those Provinces, who had to take their wheat and flour elsewhere, advocating a measure of this kind, but he was amazed to see one hon. gentleman go farther, and vote for this policy the other day. A year ago this hon. gentleman voted on the other side of the question, but this year he had voted for Protection on wheat and flour and other articles. This policy would be injurious to our Union. If we brought about bad feeling between the Maritime Provinces and the stronger Provinces in the West, it would be very unfortunate. So far as he was concerned, and he believed he understood the sentiments from his section of the country, they were not disposed to do this. His hon. friend from Monck (Mr. McCallum) spoke a great deal about the balance of trade. They would imagine by this that every country that purchased more than it sold, was bankrupt. He would just ask the hon. gentleman to look at the balance of trade against England for the last number of years, and yet England was the richest country in the world. She was the centre of all the commercial

transactions of the world. She was the centre of all the banking and monetary institutions of the world; and the balance of trade had been against that country to the extent of over £100,000,000 stg. during the last number of years.

MR. JONES (South Leeds): Does that include bullion?

MR. OLIVER: That is the balance of trade.

MR. BOWELL: Answer the question. Does that include bullion?

MR. OLIVER said that this fact was laid down in the English books. If it was a fact, then, that every country which bought more than it exported was a bankrupt country, then England had been bankrupt for many years. He had always been led to believe that England was the wealthiest, most prosperous and most civilized country on the face of the earth. The Australian Provinces were, perhaps, in proportion to their population, the most wealthy of all the colonies belonging to Great Britain, and yet they had a balance of trade against them. Did any hon. gentleman mean to tell him that although there had been a balance of trade against this country for twenty years, that it was poorer now than twenty years ago. A person who could see or read anything must come to the conclusion that this country had added to its wealth enormously every year. Yet, according to the logic of hon. gentlemen opposite, our country had been retrograding every year since there was a balance of trade against us. There were one or two other matters to which he would refer. A great deal of stress had been laid upon the larger importations of wheat and coarse grains into this country. Now, as an illustration of the views which he held on this subject, he would submit the following. A certain miller, who carried on business in the town where he resided, and handled for manufacturing purposes 1,000 bushels of oats every twenty-four hours, was forced to supplement largely the oats he could purchase in the local markets by others from the Western States of America. Now, if that miller was prevented from going to the Western States for his

oats by the imposition of a duty on that imported grain, the price of oats in his own town would be reduced. To prove this statement he need only state that, two years ago, the same person's mill was burned down, and, in consequence, it was unnecessary for him to enter the market as a purchaser, the price of oats fell 5c. per bushel. If, therefore, his establishment were shut up altogether, or if he removed to another place where the raw material could be had in unlimited quantities, the price of oats would be reduced. He would like to refer to the discussion which had taken place with regard to stock. It had been stated by hon. gentlemen opposite that the duty on stock imported into this country ought to be increased from 10 to 20 per cent. Now, he would like to quote a few figures with the view of elucidating whether that should be done or not. The total number of horses imported into the Dominion during the year 1876-7 was 1,465, of which 1,029 went to Manitoba and British Columbia, and the remainder, 420, to the other Provinces; the total number exported was 8,341. The number of horned cattle imported into Manitoba and British Columbia for the same period, was 5,998, while 2,058 went to the other Provinces, making a total of 8,055; the number exported was 24,127. Of sheep, 11,500 were imported into British Columbia and Manitoba; to the other Provinces 117, making a total of 11,617; and the total number exported was 209,899. It would be seen from these figures that the amount of stock coming into the old Provinces was very small indeed, and that the great bulk went to Manitoba and British Columbia. These were the very Provinces we wanted to populate, and, with that object in view, we were building a railroad and opening up communication with other parts of the country. Thousands of immigrants were pouring in there from across the Atlantic, from the United States, and also from other parts of Canada. Why, then, should we seek to make these people pay more than 10 per cent. on the stock they took into that country? It was curious logic to talk of encouraging immigration, and at the same

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time advocate a policy that would retard settlement. He could understand why the present duty of 10 per cent. should be abolished, but he could not comprehend why anyone should seek to increase it. Why were Canadians, Americans and the people of the British Isles going to these new Provinces? In order that they might find a home there for themselves. Was it, then, in the interest of these people to place an import duty on what they required most. If all the stock imported into British Columbia and Manitoba was sent from Ontario and Quebec, the duty of 10 per cent. might be more excusable, because some part of the Dominion might be benefited. But that stock had to be brought from the United States, and to adopt the policy which was proposed, would retard the settlement of these two Provinces. It was a principle laid down by everyone who understood anything about trade, about the export and import of cereals, that, when a country which raised less than was necessary for its own wants increased the duty on imported corn, the price of home-grown corn was largely increased. He held, therefore, that if the duty on imported barley was reduced, the price of American barley coming into this country would be lowered, while that of the Canadian article would not be increased. That, he thought, was a correct principle. To prove the opposite, an illustration was given by a certain hon. gentleman. "Here," said they, "is a farmer who has a farm on this side and another on the American side of the line; he loses 15c. per bushel on the barley raised in Canada." He held that to be incorrect; because, if the duty was taken off, the price of barley on the Canadian side would remain the same, while that raised on the American side would be reduced by 15c. per bushel. If the principle held good in the case of the importation of corn, it held good also in this instance. Though a duty of 50c. a bushel was put on corn coming into this country, yet it would not, in the slightest degree, affect the Chicago market, or the price of the 200,000,000 bushels exported from New York, a large proportion of which found its way

into the markets of Great Britain. He would ask any reasonable man, who knew anything of the subject, if 100,000,000 bushels more wheat was required to feed the people of England than could be raised there, whether in the event of the tariff being increased, the farmers of England would not get a better price for their products than they received now. If, therefore, the duty was taken off Canadian barley, it would not alter the case in the slightest. He was rather amused by the remarks of his hon. friend from South Victoria, who made an elaborate calculation with the view of showing that by not imposing a certain amount on articles coming into this country we lost so much, and that we also lost the duty imposed by the Americans on Canadian produce going into that country. Now, it was perfectly plain that if we paid the duty on articles imported into this country from the United States, the consumer there also paid the duty, charged by this Government, on articles imported into that country from Canada. Who paid the duty on barley, from the time it was put into the soil, till it was converted into ale or beer? Surely it was the consumer. The same rule held good with regard to every other article of trade. The person who wore goods of English manufacture had to pay the duty thereon, and the duty on sugar was paid by him who used it. If hon. gentlemen opposite imagined they could delude the farmers of this country they were very much mistaken. He could name, in his own county, a dozen moderate Conservatives, who, although in the habit of voting for the Conservative candidate, had declared to him that in consequence of the policy adopted by the right hon. member for Kingston and his followers, they would not support that party at the next election. In fact, he had not met a single Reformer, and certainly very few Conservatives, in the section of the country where he lived, who would vote for a protective tariff as proposed by the motion on which the House divided a few days ago. No policy which could be adopted would prove more ruinous to the people of this country than that advocated by hon. gentlemen opposite. He would

vote against the motion if it was enlarged and against every proposition which had for its object the protection of any manufacturing establishment in this country, for he considered that they had sufficient protection at the present time. Take \$1,000 worth of goods manufactured in this country and \$1,000 worth manufactured in the United States, and what advantage had the Canadian manufacturer over the American? The American had to lay down his goods in Canada at a price of \$1,175, thus giving to the Canadian manufacturer a direct bonus of \$175 on every \$1,000 worth he manufactured. If that was not enough for the manufacturers of Canada, then he would say the sooner they were weeded out the better. Such Protection was quite enough for any business conducted on true commercial principles, by persons possessed of a reasonable amount of capital. In illustration of this, he, at the last election, instanced the case of a flourishing establishment, in his own county—an instance which was laughed at by hon. gentlemen opposite. That establishment, however, was conducted on true commercial principles, and the result was that a dividend of twenty-eight per cent. had been declared. If every manufacturing establishment was conducted in the same way, there would be no necessity for additional Protection—a Protection which would amount to taking money out of the farmers' pockets. Instead of that money going into the hands of the Receiver-General, it would go into the pockets of the manufacturers—a policy which would be ruinous to the best interests of the country, and which he would certainly vote against.

MR. LITTLE said he was not in any way surprised at the motion introduced by the hon. the members for West Hastings and Durham. It was the first fruit of an endeavour springing from his side of the House to protect in some measure the interests of half a million of our people; it was the first instalment of tribute paid in this House to the eloquence and ability of their right hon. leader the member for Kingston (Sir John A. Macdonald) in his advocacy of a revision of the tariff, a revi-

sion in which every interest in the Dominion should be cared for and protected. When he (Mr. Little, saw two such very pronounced supporters of the Government driven by the force of public opinion to say at last, that the Ministry were acting unjustly in disregarding the wishes of the people, as was implied in the introduction of this motion, he felt there was strong assurance that many who had hitherto supported the Government would do so no longer. These two hon. gentlemen had been thick and thin supporters of the Government for many a long year, and no matter how extravagant the views of the Government were, they supported them. It had been said some time ago by the hon. the Premier that the farmers required no protection, that they were well able to take care of themselves, but these gentlemen thought differently. They said quite the reverse; they said the Government should alter its views and adopt those enunciated by the hon. members of the Opposition, so that in point of fact, if they were sincere in what they said, they should request the Government to give way and allow those who advocated this policy to take their place. Those hon. gentlemen had taken a step in the right direction, and he hoped they would go still further, and not only advocate the agricultural interest, but the interest of all other branches of industry which would tend to make our country prosperous, and no doubt their example would be followed by other hon. members; and a broad, liberal feeling with respect to other interests would prevail. There were the coal interests, the fishing interests, and the manufacturing interests to be promoted, as well as the agricultural interests. He fully supported the policy of the right hon. member for Kingston, that each and every Canadian industry should be cared for, but, on the adage that a half a loaf was better than no bread, he should vote for the motion now before the House. Who knew but that next Government day, the hon. gentlemen opposite would go farther, and move a resolution favourably affecting other industries, and take a broader and more general view affecting all other interests. There was no knowing how

high they might soar; they might soar as high as the present Finance Minister did in 1873; and how he had been rewarded, had been clearly seen. The Ministry should take a lesson from the rebuke now given by these old-tried supporters, "Coming events cast their shadows before."

When the West Hastings horse, and  
The East Durham colt,  
Break away from the reins and  
Think proper to bolt.

There would be more leaving the Government ranks shortly, and no wonder, when the Premier asserted that the farmers needed no protection; that they were able to protect themselves, and when the Finance Minister said a few nights ago, that no Government by legislation, could bring back prosperous times, and that nothing could be done to alleviate the distress so prevalent in the land, it made people enquire what then was the use of having a Government such as this. The hon. member for South Huron (Mr. Greenway) had said that the poor would suffer if the farmers sold their produce high. Now, that hon. gentleman knew very little about the agricultural interest. It was a well-known fact that the better the prices the farmers obtained for their produce, the more wealthy the country became. More money was circulated; farmers could give their labourers higher wages, and storekeepers and other classes would get the benefit of the extra money thrown into circulation. The hon. gentleman had talked of the high prices of necessaries of life, but he forgot to mention that this Government had increased the duties upon the necessaries of life by levying the tax upon tea and coffee. He did not see how the necessaries of life would be increased by properly protecting the farmers' interests. This Government should show the same regard towards the agricultural community as the United States Government did. He would have been much better pleased had this motion embraced other interests. He thought that was rather a narrow motion which only included one class to be protected. Our manufacturers should also be protected as much as possible. He found that the total

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imports amounted last fiscal year to \$99,427,962, of which at least \$40,000,000 could have been produced by our own people instead of all this money being paid outside of Canada. But when he came to consider the immense quantity of woollen goods imported into Canada last year, \$9,183,000, it made him blush for shame to think that the Government did not protect the Canadian manufacturer. Why did they not, themselves, make these woollen goods? Because the duty was so trifling on American products that our people could not compete with them, and, therefore, the money of this country went elsewhere; whereas by manufacturing these goods the money would have been kept at home, and be serviceable in helping to build up this Dominion. Iron goods were imported to the extent of \$1,403,000, the greater portion of which goods could have been manufactured here. Why should they import so many spades, shovels, axes, and various other sorts of iron instruments? Because this branch of industry was not protected. It was surprising the Government should pretend to have the welfare of this country at heart, and yet do nothing towards fostering its industries; on the contrary, they had only succeeded in plunging the country into an immense debt. The hon. member for South Oxford (Mr. Oliver) was a great Free-trader, in his own estimation, and considered that fact was everything; but he (Mr. Little) would ask what built up England? It was Protection; and Great Britain did not give it up until she was strong, and mistress of the world. Had we attained that position yet? Why, Canada was yet in her infancy, as regarded her manufactures. What was the use of those raw products in the soil, on the soil, and under the soil, unless they could be utilized, and our people could not do so because they were not encouraged; but, on the contrary, the Government favoured the outsider, the American, instead of our own Canadian people. Hon. members began to find out that the wishes of the people should be regarded. No reliance could be placed on the words of the hon. the Finance Minister in this

connection, because they well remembered what he had said in England, where he exhibited the silver side of the shield, and in this country, where he exhibited the brazen side, and, for aught he knew, the hon. Finance Minister might vote for this motion.

Mr. GIBBS (North Ontario) said he would make a few remarks in explanation of his reasons for supporting this motion. Although it did not meet the wants of the general trade of this country, still it was a step in the right direction. The diverse interests of the Dominion required that they should give and take, and while putting a duty, in the interests of the agricultural community, on American wheat and flour, they should be prepared to put a duty on American mines and manufactures, in the interest of the mercantile community. The policy of the Government should be so modelled as to conduce, not to the interest of one Province alone, but to the interests of all the Provinces. It had often been said by different members of this House, from the Premier downward, that the farmers of this country did not desire Protection, that they did not thank those who argued for Protection against the unfair system of trade, under existing conditions, with the United States. Nevertheless, others thought differently, and these hon. gentleman, the promoters of this motion, wished to avail themselves of this last opportunity, before going to meet their constituents, of showing that they favoured a duty on American wheat and flour. They must be aware that this motion could not be carried by itself; it must be embraced with other motions to protect the other industries of the country. No motion could be carried which did not offer a *quid pro quo*. The hon. member for North Oxford had argued that a duty on wheat and flour would raise the price of the poor man's bread. A family of five souls, according to statistics, consumed twenty bushels of wheat per year, the duty on which, at ten cents per bushel, would be \$2. What would that be compared to the indirect benefit obtained from the stimulus given to trade? As regarded the tariff, it was of very slight import-

ance whether a duty of 10c., or 20c., or 50c. per bushel were put on wheat. Ten cents per bushel would give all the Protection required, because it would keep out of the country American wheat and flour, and 50c. duty per bushel could not do more. The hon. member for North Oxford had given as one reason for opposing this Bill, that they ought to weigh the probable action of the United States; and yet they were told that a country with 4,000,000 inhabitants could not hope to have any influence with the United States with its 40,000,000 inhabitants. Nevertheless, in regard to the duty on malt, when a proposition was made, the Government were like the 'coon: "Don't shoot and I'll come down"—"Don't increase the duty on malt, because we will come down." Directly Congress proposed to increase that duty, our Government announced that they would reduce the duty on malt. The hon. gentleman opposite had taken the ground that, if we allowed American wheat to come into this country and be ground, in bond, it would injure the miller. That was not a fact. While we had a duty on wheat the millers on the Welland and Lachine Canals, and elsewhere, ground with as much facility as they did now. If a duty on wheat would not increase the price, it could not injure the milling interest or the carrying trade. At present our barley was carried in bond. He held that in view of the vast expenditures we were making in the enlargement of our canals, unless we had a duty on American wheat and flour, we were doing a great deal of injury to the farming interest by admitting Western wheat free, and allowing it to be consumed in this country. The hon. gentleman was mistaken in stating that the freight on wheat was less than the freight on flour; the reverse was the fact. Generally, rolling freight was given the preference over bulk freight. The hon. gentleman had said that the adoption of this resolution would amount to a breach of faith with the members of the Maritime Provinces. He appeared to be ignorant of the fact that when they joined the Confederation, there was a duty on flour. He believed he was correct in saying, as far as Nova Scotia was concerned, that

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there was at one time a duty of one dollar a barrel on flour.

MR. GOUDGE: No; twenty-five cents.

MR. KIRK: That was only one year before Confederation.

MR. GIBBS said one year or twenty made no difference. Under the Washington Treaty the fisheries were given to the United States, and Ontario had then to make a concession, but that Province voted in favour of carrying out of the Treaty.

MR. BORDEN: To what Provinces did the fisheries belong?

MR. GIBBS said they belonged to the Dominion of Canada. Anyone engaged in manufacturing flour and handling produce must know that the home market was far superior to the foreign market. The Trade and Navigation Returns showed that there had been entered for consumption in the Dominion of Canada 4,589,051 bushels of wheat and 549,063 barrels of flour. He also desired to see the national policy carried out, because he believed the interests of this country required reciprocity—free intercourse in the buying and selling of cereals. That was what he understood by Free-trade, and he believed that it was impossible to express the hope that the Americans would concede to us the enactment of reciprocity upon any fair principles, so long as they had our markets without our having anything in return. He believed that there was no one in this House or in this country who did not believe that reciprocity was the best thing for Canada and the United States.

MR. MILLS: Hear, hear.

MR. GIBBS said he believed it would be best for both countries to have a free exchange of the products of the soil. It was said that if we initiated special legislation against the United States, they would retaliate. But were not their duties on wheat and barley levelled against Canada? Were we to take the position of serfs, and to say that we dare not take the stand which we considered we ought in the interests of the country, because, forsooth, the United States might do anything they

chase against Canada and Canada must sit still. He was thankful to know that the time had come when they were going to the country to ask the people to pronounce on something more than mere Shibboleths. He did not hesitate to say that, if he were a farmer in Ontario, no matter whether a Reformer, Conservative, Tory or Grit, he would support the man who was in favour of putting a duty on wheat and flour.

MR. PALMER said that, as representing a constituency which consumed more flour and wheat than any other in the Dominion, perhaps, it would not be proper for him to give his vote without explaining why he thought the interests of his constituents required him to oppose the proposition of these hon. gentlemen. The hon. member for North Oxford had made a declaration which he (Mr. Palmer), sitting on the Opposition side of the House, and not knowing the hon. gentleman that proposed the resolution, would not have dared to make. He (Mr. Oliver) had said that this was a deliberate attempt to delude the farmers. It was surely very well known to hon. members that the legislation proposed would be purely sectional; and, as the hon. member for Sunbury had correctly said, if the principle involved was correct, it was a bad way of carrying it out. It was simply saying to the small Provinces that the people of Ontario had charge of this country; that they thought Protection was good, but that it must be Protection for themselves alone; that they were the giants that would rule; and that the 16 members from New Brunswick, and the 21 from Nova Scotia, were nowhere as against the 88 from Ontario. If the proposition were made in earnest, it meant that. The hon. member for North Oxford (Mr. Oliver) had declared that this was a deliberate attempt to delude the farmer; and, if that were so, it was a more unworthy motive. It was impossible that any hon. member representing a constituency such as he represented to support a resolution which would have the effect of taking a large amount of money out of the pockets of the Maritime Provinces. He

was surprised when he heard the statement that the hon. member for North Ontario (Mr. Gibbs) made, that Ontario wanted compensation for the Treaty of Washington; that, in reality, Ontario had given up the fisheries; and, therefore, the Maritime Provinces should give some return in lieu thereof. He had thought, in his simplicity, that the people of the Maritime Provinces had surrendered their valuable rights and fisheries in order to carry out a national policy. He had believed it was to benefit the whole Dominion that those Provinces had been called upon to relinquish their great interest, one which he held was secured to them by Confederation. And he was prepared to argue the question on the principles of constitutional law. The award of the Fishery Commission had showed the value of the fisheries. Were not the fishermen of the Maritime Provinces, with Quebec, entitled to the \$5,500,000 awarded for the fishing privileges which had been accorded the United States for twelve years? Of course, he was prepared to admit that Newfoundland was entitled to a share of the amount. He appealed to any hon. member who was acquainted with constitutional law as to whether the inshore fishery was not part of the territorial rights of each Province. The people of Ontario would bristle up if it were contended that the inshore rights of Lake Ontario, or any other lake in the Province, were to be surrendered, and the money obtained from them handed over to the Maritime Provinces. By the Treaty of Washington, the Maritime Provinces gave up certain territorial rights, New Brunswick also gave up certain export duties, but the late Government took the right course in compensating that Province therefor. The hon. member for North Ontario must understand that the view that Ontario had surrendered something by the Treaty of Washington was not that held by the people of the Maritime Provinces.

MR. GIBBS said he was misunderstood.

MR. PALMER said, as a Maritime Province man, he was somewhat sensitive on the point, and he was glad to have an opportunity of stating, clearly

in Parliament, the views of his constituents on the subject. He would not enter into the general question of Free-trade and Protection. The hon. member for North Huron (Mr. Greenway) had asked how the poor labouring man was to be protected. But, if all the farmers were to become prosperous, it would not be easy to find a poor labouring man. That hon. member's whole argument had been based on the supposition that the various products would be increased in value, and that, consequently, the cost of living would be enhanced. It was somewhat remarkable, however, that the hon. gentleman did not think of that point when he voted to place a duty on tea. The hon. member for North Oxford had laid down, as a proposition, that the imposition of a duty on wheat would not increase the price. He would allow the hon. member for North Huron, the hon. member for North Oxford and himself, who were all going to vote against the motion, to endeavour to reconcile their different opinions. Their position reminded him of a story of an Irishman, who was carrying a couple of game cocks in a bag, and, on finding that they had torn each other to pieces said he believed they would fight, but thought they would fight on the same side. He was, in the present instance, on the same side with those hon. gentlemen, and yet they did not appear to be more happy than the cocks. The motion had the extraordinary effect of arraying persons holding diametrically opposite views, in positions hostile to it. He was quite prepared to admit that the hon. member for West Hastings was consistent in his views, but the hon. member for East Durham could not surely imagine that the farmers were so foolish as to be deluded by the motion. He (Mr. Palmer) desired to distinctly tell those hon. members and the farmers of Ontario that the people of the Maritime Provinces would never consent to sectional legislation or taxation, which would interfere with the free exercise of their right to purchase in the cheapest market, unless they obtained some corresponding benefit. The principal industry in his constituency was, that of shipbuilding, in which a great num-

ber of artizans were employed. Today they felt it a hardship that any of the articles entering into the construction of those ships should be taxed. While they did not object to tonnage dues, they held that they should be at liberty to build vessels, and have the duties refunded when they were sold abroad; and the adoption of such a policy would materially increase the business of shipbuilding in the Provinces. There was no reason why duties should be levied on the yellow metal for ship bottoms, which was brought from England, and fixed to vessels which might be immediately sold abroad. He had been taunted with being in favour of a readjustment of the tariff. He was willing that additional duties should be placed upon some articles, but only on such as could be properly manufactured in this country without materially increasing the price, or increasing it at all. His view was that Parliament, in its legislation, should go as far as possible in the direction of protecting our industries without increasing the cost, or to a very trifling extent, of articles to the people of Canada. An hon. member, who he supposed was a farmer, had stated that Protection began with the manufacturers, and they wanted to use the farmers after the manner of "walk into my parlour, said the spider to the fly." Some hon. members might, in that manner, induce the farmers to have antagonistic feelings towards the manufacturers, but he desired to take a broad statesman-like view of the question. It was absurd to say that the manufacturers were to be scoffed and laughed at, because they originated any policy. While he entertained every respect for the farmers, yet the class that was the most intelligent and to which the country owed most, was the mechanics. In point of intelligence and patriotism they, as a class, were equal to any men. He fully admitted that the agricultural was the paramount interest, and was willing to adopt any measures to benefit it, as was any man who had the interests of Canada at heart. The prosperity of the farmers depended on those vigorous mechanics, who were willing to devote their skill, labour and capital to developing the



resources of the country, and in building up a home market for the produce of the soil. It had been argued that the market across the ocean was that to which our farmers must look. But it must be remembered that, if they could sell direct to the consumers and get rid of middle-men, farmers would save two or three cents on their profits. If they could obtain the same prices at St. John, Halifax, or Toronto, as at Liverpool, and conserve to Canadian farmers the Canadian market, an immense benefit would be conferred on the agricultural class. But this was a matter which should be very carefully done. It would be very unfair to compel the fishermen and shipbuilders of the Maritime Provinces to pay higher prices for their goods without affording them any corresponding advantage. If such corresponding benefit could not be conferred, he did not suppose that the farmers of Ontario or any other class was to be benefitted at the expense of another class. He had felt it to be due to himself and his constituents that he should state to the House, that he and his constituents were willing to enter with them fully and freely into the questions of Canadian interests, Canadian Protection, Canadian trade, and Canadian nationality, and to discuss them on fair, patriotic and liberal grounds; to give and take, and see how they could benefit each other. And if they fancied that, by bringing forward an isolated sectional interest, they could catch the vote of the Maritime Provinces, they were entirely mistaken. If this was their object—and the object was so indicated by the hon. member for North York—to delude the farmers of this country, he thought they would also be mistaken.

Mr. FLEMING said that if anything could show more conclusively than another the inconsistency of a system of Protection, it was just such speeches as had been heard that evening. The hon. member for St. John, being interested in ship-building, wanted iron for that purpose to be free of duty.

Mr. PALMER: You misrepresent me. I never asked that iron should come in free of duty.

Mr. SINCLAIR: You do; for raw material for ships.

Mr. PALMER: No. What I asked was when they were exported; that was all.

Mr. FLEMING said that the hon. gentleman wished this because he was personally interested in ships. Other hon. members, feeling an interest in some other calling, wanted it protected; it was impossible to get a system of Protection that would suit the purposes of all. The hon. member for Centre Wellington, who introduced the discussion this afternoon, spoke of the ridicule and contempt which had been thrown upon him by some members of the Government and its supporters, because he advocated Protection to agriculture. He spoke as if this ridicule and contempt was thrown upon the farmer. He (Mr. Fleming) did not think that any member of the House uttered a single word of that kind with relation to the farmer or his calling. He could not help thinking, however, with a great many others, that when a physician tried to convince a man, in perfect health, that he was sick, in order that he might prescribe for him a certain panacea which would cure all his ills, the physician merits something like ridicule. It had been said that the interests of the farmer had long been neglected, but this discovery had only recently been made. It was well known that the leader of the Opposition, who controlled the affairs of the country for many years, had the opportunity to look after the interest of the farmer, if his Government was so inclined. For a short time a duty on flour was imposed, but it was withdrawn, and the right hon. gentleman then stated that the "flour tax was repealed as a step in the right direction;" but the hon. member for Centre Wellington spoke as if a tax upon that article now would be a step in the right direction. He had stated that every farmer had lost, on an average, \$63 a year for want of Protection; that there were 500,000 farmers in the Dominion, which would make a loss of \$31,500,000 a year. If this was correct, then the right hon. member for Kingston had a great deal to account for. During five

of the years which had elapsed since Confederation, when the affairs of the country were under his management, there was no duty on grain. The bill against him by the farmers of Canada would, therefore, amount to the sum of \$157,500,000. Suppose the hon. member for Centre Wellington was able to convince the farmer that he was sick and required medicine, the farmer might very naturally enquire what was it going to cost. If Protection was going to raise the price of what he had to sell, he might reasonably expect that it would raise the price of what he had to buy, for the advocates of Protection to the farmer also advocated Protection to the manufacturer. He was told, however, that Protection reduced the price of manufactured goods. How this should be, was to him not very clear, for if Protection raised the price of what he produced, certainly it would have the same effect upon what was produced by others. There were a great many articles which a farmer required to purchase: clothing, implements, etc. If extra duties were imposed on these articles, they would certainly cost more; his profits would thereby be reduced, and in the end the farmer would be no better off than before. Hon. members spoke of the home market as if its wants were supplied before any grain was sent abroad, and as if a higher price was obtained for what was used for home consumption. This was not the case. The buyer for shipping purposes, appeared in the market at the same time as the local flour dealer, and the price given was exactly the same. The farmer, when selling his wheat, did not ask: "Are you buying for a home or a foreign market?" but, "what price do you pay?" And the price he received from either of the parties was regulated by the price of flour abroad. Great Britain was the market of the world for bread-stuffs. She offered the highest average price during the year. The nearer we could get, so to speak, to England, and the less the cost of sending it there, the higher the price we would receive for our produce. The average cost of sending flour from Canada to that market was, he believed, less in the whole, than the average cost of sending it from the United States. With regard

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to the milling interest, to which the hon. member for North Ontario (Mr. Gibbs) had alluded, he (Mr. Fleming) did not believe that duties on wheat and flour would be of advantage, but, rather, the reverse. As an illustration of success in that business, without any protection, he alluded to an acquaintance of his own, who, by manufacturing a superior brand of flour for the Glasgow market, had established a large and profitable trade, and was now, in connection with a firm in that city, erecting on the Great Western Railway a mill which, when completed, would be one of the best in the Dominion. This trade could not have been kept up, if, in 1876, when the wheat crop in Ontario was of an inferior quality, any obstacle was thrown in the way of procuring a supply from the United States. Although a duty was put upon Canadian wheat going into the United States, the American farmer did not derive any benefit from it. In order to show that this was the case, he would read from a speech of the Hon. Mr. Allison, of Iowa, in the House of Representatives, March 20th, 1870:

"It will be seen it (agriculture) is much the largest interest in its aggregate product, as well as the number of persons employed. I believe that no one will claim that this large interest is directly protected. It is true that, under the existing law, there is a small duty upon wheat, barley and oats, and other agricultural products, but this does not afford any protection to the wheat and grain grown in the country."

The Hon. Mr. Wilkinson said on the same subject:

"It is said that the farmer gets better prices for what he sells, because of the prosperous condition of the manufacturer; but I think it will be found, on examination, that we, of the west, are obliged to sell our wheat according to New York prices, and that the prices of the article in New York are regulated by the prices of wheat in England. This is our understanding of it, and I think that the understanding is correct."

The American farmers have been obliged to pay an enormous sum for the luxury of a home market, and yet, this home market did not consume their surplus wheat and corn; they have to send it to a foreign market, in the same way as we have to do ourselves. It might be asked, Why do the American farmers submit to this? The

reason was very plain. Manufacturers plotted together and by means of the lobby—an institution he was happy to say did not exist here—succeeded in carrying their measures, irrespective of the wishes or demands of the farmers. We have been told that we ought to take a patriotic view of this question, and try to encourage inter-provincial trade; but, if there was anything which would be likely to destroy the harmony and good feeling which exists between the Provinces, it would be forcing, upon different sections, measures inimical to their interests. In the United States, in former years, before the slave question had agitated the public mind, the subject of Protection had, in 1828, almost driven South Carolina out of the Union. The hon. member for Centre Wellington, as an argument for Protection, had pointed to the great progress made by the United States; but, if we have not made so rapid progress, we have not been standing still. If he would look for a moment at the progress made since the expiration of the Reciprocity Treaty, he would see that it was very marked indeed. In order to show what advance had been made, he (Mr. Fleming) would read some statistics in this relation; he would compare the year 1867-8 with the year 1876-7—the later year one of the most unfavourable, for a comparison, that could be taken—the failure of the crop, added to the general depression, making matters worse than they have been since Confederation. In order to make the comparison fair, he would exclude the Provinces of Manitoba, British Columbia, and Prince Edward Island. Taking the four Provinces which formed the Dominion at the time of the Union, we find that the produce of the forest which we exported in 1867-8, amounted to \$18,262,000, while in 1876-7 the amount was \$23,308,000, an increase of 27 per cent. The produce of the fisheries sold in 1867-8 was \$3,357,000, while in 1876-7 it was \$5,575,000, an increase of 66 per cent.; of animals and other products we exported in 1867-8 \$6,993,000; in 1876-7 we more than doubled that amount by exporting to the value of \$14,386,000, an increase of 108 per cent. In agricultural produce we sold in 1867-8 \$12,871,000 worth,

while in 1876-7, a year of scarcity, we sold to the amount of \$18,056,000, an increase of 40 per cent. In manufactured goods we exported in 1867-8 to the value of \$1,572,000, while in 1876-7 we increased the amount to \$4,284,000, an advance of 172 per cent, showing that our manufacturers had been competing successfully with those of other countries. The total exports for 1867-8 were \$57,567,000, for 1876-7 \$70,907,000, an increase of 24 per cent. The imports were \$73,459,000 in 1867-8; in 1876-7 they were \$94,508,000, an increase of 28 per cent. If increased correspondence and enlarged circulation of newspapers were any indication of progress, the Post-Office returns give very striking results. In 1867-8 the number of letters sent was 18,100,000; in 1876-7 they were 40,500,000, an increase of 120 per cent. The registered letters in 1867-8 amounted to 704,500; in 1876-7 they were 1,842,000, an increase of 256 per cent. There were 18,860,000 newspapers sent in 1867-8, and 38,000,000 in 1876-7, an increase of 101 per cent. These figures show the progress the country has made since the reciprocity treaty was repealed. If we were to compare the first year of Confederation with the years 1872-3 or 1873-4, the difference would be very much greater. Much as reciprocity may have been desired, it was evident we had made progress without it. Our true policy was to try and compete successfully with the Americans in the markets of Europe. We were doing so, to a great extent, in cattle, and for this purpose it was an advantage that corn should be obtained for feeding purposes at as cheap a rate as possible. In cheese, a large and profitable business was being done. In the article of butter, the Americans have got the start of us; they manage to get their production into the market at an earlier period of the year and in a better condition than we have hitherto done. In order to compete with them successfully, greater attention to quality and forwarding will be necessary. In the article of barley, Great Britain consumes annually a very large amount. In the year ending 1st September, 1877, 50,000,000 bushels were imported into that coun-

try. In the months of November and December last, 680,000 bushels were shipped at New York for England. Canada ought to be able to do a portion of this trade. Before closing, he would allude to a speech of the right hon. member for Kingston, delivered at Stanstead, which had been quoted by the hon. the Minister of Finance in his address on the Budget. The right hon. gentleman said:

“You know that Canada, from east to west, lies within the same degree of latitude, and does not possess a great variety of crops. From the Atlantic to the Pacific, the country is subject to the same climatic influences; but the United States, extending from the lakes to the Gulf of Mexico, possesses a great variety of climates.”

He must say that these were rather singular propositions on which to frame a protective policy for Canada. Were he to put them in the form of a syllogism, it would be something like this: A country with a great variety of climates is favourable for Protection. The United States is a country with a great variety of climates; therefore, the United States is a country favourable for Protection. If that reasoning was applied to Canada, which was not possessed of a great variety of climates, the inference would be that it was not favourable for Protection. Indeed, the very appearance of our country on the map makes it apparent that a protective policy might be justifiable in time of war, but would not be beneficial in time of peace. The right hon. member for Kingston did not, indeed, in the speech alluded to, profess that Protection would be any great benefit to the farmer in a time of plenty, but only in a time of scarcity, when crops were light, and the necessaries of life high in price. He (Mr. Fleming) was astonished to hear such sentiments uttered at this period of the nineteenth century. When the Corn Laws were in existence, the duty fell as the price rose; when wheat was 50s. a quarter the duty was 20s., when it rose to 72s. the duty fell to 1s. But supposing the farmer should derive benefit from a system of Protection, which would give him higher prices in an unfavourable season, would he be any gainer thereby if, in all the intervening years, he had to pay higher

prices for everything that he used? Besides, if a period of real scarcity should ever arise, this Protection would not stand the test of practice. In England, in 1845, when the crops failed and a blight came upon the potato crop when starvation stared the people in the face, Sir Robert Peel, who came into power upon the cry of Protection to national agriculture, passed the Bill for the total abolition of the Corn Laws. In conclusion, he would say that he did not believe farmers wanted Protection in the sense in which some hon. members thought they did. They only wanted to be let alone and not taxed for the benefit of others. They asked no special privileges; they only asked that other industries might not interfere with their industries.

MR. BLAIN said he would not have offered any remarks to the House had this amendment not proposed to deal with the agricultural interests of the country, and particularly with the manufacture of flour. As these interests were very important to the constituency which he represented, he thought it his duty to state why, on this occasion, he intended to vote against the amendment. In the first place, he considered it a piece of pure sectional legislation, and he regretted very much that any member from the Province of Ontario should have proposed such a restriction to the House. He had no hesitation in saying that he conceived it to be the duty of every man from the Lower Provinces to vote in the interest of his constituents, to vote against the proposition. He had no hesitation in saying further that those members from the Province of Ontario who desired to deal with the interests of the whole Dominion, instead of any particular section, should vote against the proposition. It was the duty of members of Parliament to promote the interests of the country, but we were not, at the present time, in a position to deal with the question at issue. The time would not be ripe to deal with the whole question of intercolonial trade, which was really the question involved—and we could not deal with that till we were able to freight vessels of 1,500 tons in the upper lakes, and send

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them down to the maritime ports. In the meantime, it would not be judicious to deal with the duties on flour, coal and other articles.

Mr. WALLACE said he had always been given to understand that half a loaf was better than no bread, but the hon. member for West York would have them to stand idle till they were able to accomplish something wonderful. It had been stated that the leader of the Opposition and his followers had only lately become anxious to look after the interests of the farmer, and that while in power they did nothing to promote their interests. But the altered circumstances of the country from what they were in 1851, must be taken into consideration. During the time that the hon. leader of the Opposition and his followers occupied the Treasury benches, there was a Reciprocity Treaty with the United States, and the Canadian farmer had the benefit of the American markets for his produce. During the period they were in power, from 1861 to 1873, an extraordinary state of things existed in the United States. Labour was so high that American manufacturers and farmers could not afford to send goods into this country at a profit, so that it was not necessary to protect the Canadian farmer, mechanic or manufacturer. Since 1874, however, wages had fallen on the other side, in all branches of trade, and Americans were better able to compete with us, being able to produce articles of trade at a less rate than formerly, and, as the Government has done nothing to protect Canadian interests, it was now time to take some steps in that direction. The hon. member for North Oxford said that the balance of trade was always against England, and that England was rich and prosperous. But he forgot to say that England was the money lender and the creditor of the other nations of the world, and that a large portion of the importations into England were to pay the indebtedness of the other nations to England. Again, he said that Canada had been importing more than she had exported for a number of years, and yet she was prosperous. Was the piling up of great indebtedness an evidence of pros-

perity? The Dominion to-day owed a public debt of about \$180,000,000. Municipalities, merchants, bankers, railways, etc., throughout the country were all indebted to English capitalists. Was not this apparent prosperity an evidence of degradation? It showed they were deeply in debt, and if they were called upon to-day to pay their indebtedness, they would not be able to do so. They had lots of property to pay their indebtedness, but no money, and, if called upon to pay, would be forced into insolvency, on account of not being able to realize their assets. In his Budget speech, the hon. the Finance Minister had said that, if he had waited until this year to go into the English market to raise money, it was possible he might not have been able to succeed in effecting a loan. Had the latter been the case, Canada would, perhaps, to-day have been insolvent. The hon. member for Oxford had said that history consisted of periods of greater and of lesser prosperity, and that, under Free-trade, the commerce of England had immensely increased over what it had been under a high tariff. But the hon. member did not say there were other factors in promoting that prosperity greater than any system of trade. There were factors that contributed far more to the prosperity of England, and not alone of England, but of the rest of the world, than any system of trade. He would ask if the spinning jenny had not been invented, would the cotton trade have attained such dimensions; if steam had not been discovered, would it have been possible for the commerce of the world to have grown to the extent which it had attained? Inventions had contributed far more towards extending the commerce of the world, than any system of trade, whether Free-trade or Protection. If the locomotive had not been invented, would it have been possible to settle the far West of this continent as it was now settled? It would not have been possible; the manufactures of the East could not have been exported to the far West, and the products of the far West could not have been brought into the East. One locomotive would do the work of at least twelve hundred horses. It was facilities of that stamp

which had created and given an impetus to trade all over the world, and not any system of trade. Again, they spoke as if hon. gentlemen on this side of the House advocated ruinous rings and monopolies. This was not the case. They advocated only one monopoly, and that was to make of this great Dominion one of the most prosperous countries of the world; to make the Canadian manufacturer, farmer, mechanic, and the Canadian labouring man, more prosperous than the same classes in any other portion of the world; in fact, to keep Canada for the Canadian people. Not to create rings or monopolies, by giving exclusive privileges to any section or class of people, but to make, as it were, a monopoly of this Dominion against all other places in the world. But it had been said they wanted to protect all and to protect none. Yes; they wanted to protect all against outsiders and none against their own people; to give the Canadian people a protective law against all outsiders, whoever they might be. That was the way in which they wanted to protect all. As to the question of abstract Free-trade or Protection, that should be put out of the question altogether, because there was no such thing as Free-trade *per se*, or Protection *per se*, advocated on either side of the House. What they wanted was a system of fair trade, which would do justice to the Canadian people, and not allow them to be placed at a disadvantage in their commercial relations with the people of any other country. No man on this side of the House advocated such a system of Protection that would encourage the manufacture of any article which could not be grown or produced profitably in this country. Now, take for example tea, on which it would be absurd to impose a tax in order to encourage its growth in this country. He did not believe it was advantageous to induce the manufacture of any article, the raw material of which they could not themselves produce. It would neither promote the health nor the welfare of the people to have them shut up in factories; but in a great country employment must be found for all classes, and, by developing the natural resources of the country,

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diversities of employment are obtained, and the people kept within the country. Cotton could not be grown here, and, therefore, it would not be desirable to put on a heavy tax to induce its manufacture. Undertaking to cultivate the manufacture of articles which could not be produced, resulted only in a profit to the manufacturer; but by encouraging the manufacture of articles, the raw material of which was grown in this country, two profits were obtained: the profit to the manufacturer and the profit to the producer. If a Free-trade policy were carried out to its fullest extent, in what position would the Canadian farmer be if obliged to send his produce to English or American markets to find sale for them? He would obtain the same prices which ruled in those markets, and have to pay besides the transport of his produce, and, in this respect, be at a disadvantage compared with the English or American farmer. If they had to import all their manufactured goods from England, they would again be placed at a disadvantage in this respect in having to pay the additional cost of transportation from England to Canada. So that under the system of trade advocated by those gentlemen, the farmer would be placed under double disadvantage, the disadvantage of having to send his produce into the English market to be sold at the same rate as that of the English farmer, and to have to import his goods thence at an additional cost for transportation. In what position would he stand with the American farmer if he had to depend entirely on the American market? On every bushel of wheat sent to the United States, he would have to pay 20c., and on every bushel of barley, 15c.; thus, farming, under these circumstances, would not be as profitable as in the United States. Were it not that land is so cheap in this country it would be impossible for the Canadian farmer to compete in any market. He could not compete with the American farmer, over-weighted as he was, if the American market were the only market he had. Was that the position the Canadian farmer ought to be placed in, as against the English or American farmer? It ought to be rather our duty

to try and put him in a position independent of these markets, which could only be done by creating a home market for his productions. If manufacturers were encouraged in this country, there was no reason why the Canadian market should not be as good as the English or American market. This was the policy which hon. gentlemen on this side of the House supported as against the unsound policy of those who desired to put the Canadian farmer in a position of inferiority to the farmers of the other countries to which he had referred. The hon. member for South Huron said if bread were taxed, it would increase the cost of living to the poor man. But the poor man was better able to buy bread at a higher price, when well paid for his labour, than at a low price when he got no work. Ask the artisans in Montreal and Toronto to-day if they would not give double the price for bread if they could obtain work. Cheap bread might mean scanty clothing to the farmer, and cheap clothing might mean hunger to the man who produced the clothing. Could hon. gentlemen say that Protection was of no use, unless it increased the price of the articles produced? This might not be the case. Protection might give a market and create a demand for the articles manufactured and give employment to the artisans, although it did not increase the price. If the Canadian manufacturers could have double the market they have now, at no greater profit than they have now, they would do very well. There was another feature to be considered; the American had his market for nine-tenths of what he produced by prohibiting the goods of other countries from coming into competition with his own. Therefore, by selling nine-tenths of his production at a fair profit, he was able to sacrifice the other one-tenth in this country and destroy our manufactures. He contended that, if we imported an article which the Canadian people largely produced, unless the amount imported was largely in excess of the amount produced, it would have very little effect upon the market of the country. It did not, therefore, always follow that a duty, of necessity, raised

the price to the consumer. He admitted that, if the article was not produced in the country, the cost would be increased by the amount of the duty. He wished the hon. gentlemen had seen fit to include more articles in this resolution than the two named, because he did not believe that any two articles, the produce of the farm, could be selected which would be so little affected by a duty as these two articles, being to a large extent for transportation to a foreign market, their prices was to some degree regulated by that foreign market, but the prices of oats and potatoes and other articles, were not so much fixed by the foreign market. As, however, he believed in a principle, not of Protection *per se*, but in a principle of justice, he was prepared to vote for this resolution of the hon. member for West Hastings (Mr. Brown). He was not an advocate of Protection. He was a Free-trader, if they could get Free Trade, but he feared that was a Utopian idea. It was impossible to give Free-trade to other nations when they did not give it to us. We should not throw open our markets to the Americans to the damage of our own people.

MR. BAIN said that, as the resolution before the House confined itself to the imposition of a duty on wheat and flour, which it declared to be in the interest of the farmers, the debate might had been expected to be more limited than it had been to-night. But he had noticed that the gentlemen on the Opposition side of the House had widened out the question to that degree that it was not only a discussion as to whether it was desirable for the agricultural population of the country to impose a duty on wheat and flour alone imported into Canada, but also on all other agricultural products, and the policy of the Government respecting the excise duty on malt had also been brought under unfavourable criticism. In dealing with this question at this advanced period of the evening and of the debate, there was not much opportunity to say anything fresh on it. Last Session this question seemed the great sheet anchor of the Conservative party, and this Session the House was being treated

to a rehash of the same argument in the endeavour to convince the farmers that the party on the Opposition seat were their friends, so that at the approaching elections they might obtain the vote and support of the agricultural class. He did not propose to follow the particular line of argument which had been pursued by the member for Centre Wellington (Mr. Orton), who had opened the debate this afternoon, as to how much we might have received had we followed a different line policy. As to the \$4,000,000 which he had stated that we had contributed to the American revenue in the shape of duties, they had collected from our products, or the \$30,000,000, which he said we might have had in our pockets if we had been able to compel the Americans to give it to us through duties we might have collected off them. It reminded him (Mr. Bain) of the man he once heard of who was about to shuffle off this mortal coil, and who willed a grant of territory to one friend, bank stocks to another and money to others. When his solicitor reminded him that his bequests were out of all proportion to his means, he replied: "Yes; I know that very well, but I want to show my good will to these parties." Into this Utopia he did not propose to enter, as the House had to deal with facts as they are, and not as they might have been, and these amazing losses, said to have been sustained by the country, occurred under a policy initiated by the right hon. gentleman who now leads the Opposition, and whom the hon. member has held up as a paragon of political administrative capacity, and who, when he directed the affairs of the country, did not consider it in the interests of the country to deal with it as his admirers now thought he should. He did not think the line of argument which was pursued by the hon. member (Mr. Orton), and by the hon. member for South Ontario (Mr. Gibbs), was quite fair, when they quoted the fiscal year's returns, closing 30th June, 1877, as a fair basis upon which to discuss the question of imports and exports of agricultural products. In so far as the Province of Ontario and the Northern States of the adjoining

Union were concerned, the wheat crop of 1876 had been a serious failure, and was far below the average yield of ordinary years. It seemed, therefore, unfair for these gentlemen to confine their figures to that particular, and, as he had shown, exceptional year; and he thought it was only fair and reasonable, in taking a comparative view of our grain trade, to ascertain the value to the farmer of import duties on wheat and flour and other agricultural products, to take the average, say of five years, as the basis upon which to found any fair estimate. He found that, during the last five years, ending June 30th, 1877—and he desired to say at the outset that, unless where otherwise stated, the fiscal year was understood to be referred to—that we had imported into the Dominion from the United States a gross total, in round numbers, of 38,521,000 bushels of wheat, or an average of 7,704,000 per annum. This included both wheat and flour, taking an average of  $4\frac{1}{2}$  bushels of wheat to a barrel of flour. During the same period our gross exports of wheat and flour, combined in the same way, amounted to 47,430,000 bushels, or an average of 9,486,000 bushels per annum, or an average annual excess of exports over imports of 1,782,000 bushels; or taking out the exceptional crop of 1876, which appeared in the Trade and Navigation Returns of 1877, and taking the other four years, the excess of exports was 2,791,000 bushels per annum. It seemed, therefore, absurd that, notwithstanding our large imports of American wheat, our exports of surplus still exceeded them by even the smallest of these quantities, to talk of benefiting the farmer by imposing a duty on American wheat; and the period with which he was dealing was, by no means, one of high average yields of wheat in Ontario, but rather the reverse, as the abundant crop in 1877 did not come into the account. If we were situated as the English farmers, with only a limited area capable of producing wheat, and with a manufacturing and consuming population out of all proportion greater than the farm produce of the soil could, by any means, supply, then undoubtedly the farmer would gain by



the imposition of a duty on wheat and flour; or, if the short wheat crop of 1876 represented our average annual production, when we imported of wheat and flour from the United States 7,059,000 bushels, and exported only 4,803,000 bushels in wheat and flour, then Protection would have been a benefit to the farmer. But it would have been directly at an increased cost to the consumer, and we had to recollect that the agricultural interest was not the only one, and that the period of depression through which we were passing had been more severely felt by the commercial and manufacturing classes than by the farmers; and if the Government had imposed a duty on wheat and flour, which the Opposition affect to believe should be done in the interests of the farmers, could anyone doubt what the result would have been? And these same gentlemen would have made the country resound with the cry, "That the bread of the working man was being taxed," and we all knew that of late the gentlemen opposite had displayed a wonderful amount of interest in the working-man, which had been developed to an alarming extent since they ceased to hold the reins of office, and had no chance to prove by practice the truth of their assertions. And the effect of the duty, under such circumstances, would have been to enhance to the labouring man the price of the flour he consumed, not only on the 2,250,000 bushels imported from the United States, but on every bushel in addition to that consumed. Though he (Mr. Bain) represented an agricultural constituency, yet he was not yet prepared to support that sort of thing. Another matter that figured largely in the speech of the member for Centre Wellington (Mr. Orton), who had constituted himself medical adviser for the farmers, was the consumption of barley. That hon. gentleman had told them that the increase of the duty on malt last Session had been a direct tax on the farmer, and had been taken out of his pocket by reducing the value of barley. He (Mr. Bain) proposed to show that such a statement was not sustained by the facts, and could not be substantiated, and that not only had the consumption of malt not been re-

duced, but that it had actually increased. From the Inland Revenue Returns, he found that in 1876, 777,229 bushels of malt were taken for the manufacture of beer, and 66,837 bushels for malt liquors, making a total of 844,066 bushels; for the year ending June 30th, 1877, the amount taken for beer was 763,105 bushels, and for malt liquors 83,720 bushels, being an increase on the previous year's consumption of 2,759 bushels. But it had been argued indirectly that the effect of the increased duty on malt had been to induce the consumption of strong liquors, such as whiskey, as a substitute for beer. He did not propose to discuss the temperance question to-night, but would simply point out that the consumption of strong liquors in 1877, as compared with 1876, had decreased by nearly 500,000 gallons, and had fallen below the average of the four previous years by no less than 817,980 gallons, which sufficiently disproved the assertion made as to the increase in the consumption of whiskey to the exclusion of beer. In 1876 there was a refund from the duty collected on malt of \$5,383, which represented the consumption of glucose syrup, sugar, and similar substitutes for malt, used in making beer, while their use had entirely ceased in 1877, and nothing was refunded. But it might be pleaded that the consumption of malt had decreased in the latter part of 1877, as the Inland Revenue returns were made up to the 30th of June as published, and the barley crop of 1877 was handled subsequent to that. But he held in his hand a comparative statement for that period, certified to by the officers of the Inland Revenue Department as correct, which read as follows:

	Bushels.
Malt upon which duty was paid for six months from July 1st to Dec. 31st, 1877.....	328,208
Corresponding 6 months of 1876..	270,417
Being an actual increase of.....	57,791

In the face of those figures, from the official returns, he submitted it would be in order for gentlemen opposite to rise and explain, as there was convincing evidence that their statements were guiltless of proof, and whoever paid the increased duty on malt it was not the

farmer, except when indulging in a drink of beer, and that the consumption of barley was not in the least diminished by the increased duty. Let him for a moment, in passing, refer to the export trade in malt, which, as it paid no duty whatever, being exported in bond, did not come within this argument, yet was a respectable branch of the export trade of Canada, and had grown largely of late years. He again quoted from the Inland Revenue returns. In 1876 we exported 281,205 bushels, and in 1877, 321,606 bushels, being an increase of 40,401 bushels, and exceeds the average of the previous four years exports by no less than 104,742 bushels. When the hon. member for Kingston visited his (Mr. Bain's) county during the picnic campaigns last summer, when a vigorous and successful effort was made by his political friends to secure a great demonstration, and a large number gathered, including many Reformers, who went out of curiosity to see the "show," an elaborate address, replete with fulsome praise, was presented to the great Leader of the Conservative cause, which he acknowledged in a neat speech of just two hours and seventeen seconds, rather to the mortification of those interested. Among the mottoes displayed on the occasion was one setting forth the injustice to the farmers of this malt duty, which was also dwelt on by the right hon. gentleman in his subsequent address at Hamilton. If facts were in order on such occasions, it would appear as if they were against the ground so confidently taken then and since by the Conservative party and their leader. While the home consumption of barley for malt was of importance to the farmers of Canada, the price obtained for the surplus exported was of much more importance. As the average consumption of barley per annum was less than 900,000 bushels of malt to supply the Dominion, the gross exports of barley for the five years ending June 30th, 1877, were returned as 30,279,000 bushels in round numbers, and valued at \$24,547,000 at the various ports of shipment. This gave an annual average of export of 6,053,900 bushels, at an average price of 81c. per bushel. The gross imports of barley for the

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same period were only 403,900 bushels, confined to the years 1876 and 1877, and of that 241,843 bushels was re-exported and was probably of inferior quality it was what entered at only 52c. per bushel. It had been offered as an explanation that some cute Western American had shipped a cargo of this inferior article to this country where it came duty free, and after mixing it with a better sample of Canadian had re-shipped it to some foreign port. The quantity of barley exported as compared with that taken for home consumption in malt, and exclusive of malt exported, was in the proportion of nearly 7 bushels to 1, and the export price obtained for the surplus fixed the price of the article consumed at home as well. We have heard this Session and otherwise a great deal from the gentlemen opposite and their friends about "Reciprocity of Trade or Reciprocity of Tariffs with the Americans," and the idea was held out that by imposing increased duties on American products coming into Canada that Reciprocity would be secured, and we were told that until this tariff was imposed we have nothing to offer them in return for Reciprocity. Now, that came with a bad grace from any supporter of the hon. member for Kingston in this House. If we have nothing to offer the Americans, whose fault is it? Who gave up the navigation of the St. Lawrence in lieu of which we were supposed to get the navigation of two rivers away in Alaska, over which we already enjoyed better privileges under a former treaty with Russia? Who gave up the use of our canals in perpetuity to the Americans for a limited privilege on Lake Michigan, which expires in a few years, and on a promise not for the absolute use of adjoining American canals on the same terms as ours, the privilege of using our canals was surrendered, but only a promise from the authorities at Washington that they would use their influence with the States owning these canals. The privileges accorded had been neutralised by unjust restrictions which we are powerless to remedy and have to submit to? Who abandoned our Fenian Raid claims without any compensation from the Americans for so doing, and coolly turn round as the

followers of the right hon. member for Kingston now do, and tell us we have nothing to offer the Americans in return for Reciprocity, when the man they delight to honour and call their leader, surrendered all these rights under the Washington Treaty while sent there to take care of Canadian interests? And now, forsooth, we were told we have nothing to offer, and we were asked to place that hon. gentleman again in power, that he may have another opportunity of showing "how not to do it." When hon. members opposite asked that a retaliatory policy or a "Reciprocity of Tariffs" or a "Chinese Wall," or by whatever name they chose to call it, be adopted towards the Americans, they talked to the farmers as if their object was thereby to secure to them the benefits of a renewal of the reciprocal trade between the two countries. Before closing, he proposed to review the value that trade would be to the farmers, and to show that it would be at best but a matter of partial benefit, compared with our former reciprocal relations. But what would be the position of our native industries if that result was brought about? Gentlemen opposite have loudly called for Protection to them against unfair American competition, and we had heard a great deal about the blessings of a Protective tariff as a necessity to build up our manufactures; while now if this retaliatory tariff against the United States is adopted, they said it was with a view to secure reciprocity. Now, the only American agricultural product we consume to any extent is corn. All we take of that would never be missed from their enormous exports; so that selling them grain in our market is no object, and the free access to our market for their manufactures would be the only thing worth offering. But what, then, becomes of Protection to our manufacturers in the face of their protests for more protection? The two propositions must be mutually destructive to each other. But to return to the production of barley, in which Ontario had a special interest, because, in 1876, the gross exports of the Dominion were 10,168,176 bushels, of which 9,920,818 bushels went from Ontario; in 1877,

the gross exports were 6,577,180 bushels, of which 6,083,154 bushels came from the Province of Ontario, as against 248,357 bushels and 504,026 bushels in each respective year from all the remainder of the Dominion. In the Internal Commerce returns of the United States for 1877, he found a detailed statement of the imports and exports of Montreal, and the exports to the United States of all the leading ports. The United States Consul at Hamilton reported the export of barley to American ports from Hamilton alone, for the season ending September 30th, 1876, as of the value of nearly \$1,000,000, showing that they were thoroughly alive to all their trade connections. Another question of prime importance to the farmer was, who paid the duty of 15c. per bushel imposed by the American Government on Canadian barley exported into the United States. The right hon. member for Kingston had illustrated this question by referring to the case of the farmer on the boundary line between Canada and the United States, where there was only an imaginary line of division, and no natural obstruction, and who produces 2,000 bushels of barley, 1,000 bushels on the American side of his farm, for which he obtained \$1 per bushel, and 1,000 bushels on the Canadian side, for which he can only obtain 85c. per bushel, and he had therefore to pay the United States Government 15c. per bushel for the privilege of selling his barley in their market. Now, if that statement were true, and the Canadian producer paid 15c. per bushel to the United States Government on the barley he sells in their markets, how would that operate were we to adopt the policy advocated by hon. gentlemen opposite, "a reciprocity of tariffs" against the United States by imposing a duty of 10c. per bushel on corn? Would the American producer pay that duty? If he did, what advantage would it be to the Canadian farmer, who had been led to believe he would obtain an advanced price for his grain, if there was a duty on American corn, and that was what the Conservatives told him. If the American corn grower did not pay this 10c. per bushel on their corn coming into Canada, so that our farmers

obtain that much more than they do in our markets, then the Canadian consumer must pay the Canadian farmer a premium of 10c. per bushel over the American producer, or the duty was of no value to our farmers. In opposition to this statement, he maintained that so long as the American farmers failed to produce all the barley they required to supply their home consumption, and had to import Canadian barley for that purpose, just so long the effect of the duty was that the American consumer had to pay that duty of 15c. per bushel on our barley, and he also pays a bonus to the American farmer of 15c. on every bushel he consumes, under these circumstances. Let him recur to the illustration used by the right hon. member for Kingston, of the farmer with his American and Canadian barley. A consumer comes to him on the American side, and says: "I want to buy 1,000 bushels of barley for malting, or feeding," as the case may be. The farmer replies: "I have 1,000 bushels in my barn here, I can sell you at \$1.00 per bushel; or I have 1,000 bushels in my barn, over on the Canada side, I can let you have at 85c. per bushel." He says: "Well, I will take the 1,000 bushels on the Canada side, it looks just as good barley, and is 15c. per bushel cheaper." The bargain is made and he starts to bring home his barley; but on entering the United States he is met by the Customs-officer of that country, who says: "You must pay me 15c. per bushel on this barley before you bring it in here, or I will confiscate it." Now, who paid the duty? Not the Canadian farmer, who got what his barley was worth in the market, but the American consumer, who paid this premium on every bushel of barley he bought from the American farmer, or protection on grain; and, as a consequence, reciprocity of tariffs, do not produce the effects claimed for them by the Opposition, for if they benefit the farmer they must do it by increasing the price to the consumer, and if they increase the price to the consumer, the Canadian farmer would not pay the American duty on the barley exported to the United States. The loss to the Canadian farmer, the member for Centre Wellington (Mr. Orton), figures

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as out of the pockets of our farmers, had not been made. The many calculations we have all seen, of a similar kind, in the newspapers of the day by Tory aspirants, are alike unsound and without foundation, and have only one object—to mislead the farmers to believe the Opposition are their friends. This had been the position of the American consumer heretofore; but we are, evidently, entering on a new order of things, and if our production of barley does not diminish materially, both Canadian and American barley will be regulated in price by the world's markets in England, just as American wheat and corn is at present. The United States barley crop in 1850, according to the official census returns, amounted to 5,167,000 bushels. In 1860 it had increased to 15,825,000 bushels; in 1870 it was 29,761,000 bushels, and in 1875, 32,552,500 bushels. Their exports of barley, until recently, were only nominal. In 1871 they exported 364,840 bushels; and, again, in 1875, 91,118 bushels. Of the crop of 1877, which is at present being handled, the combined Canadian-American exports to England have reached no less than 4,000,000 bushels, showing conclusively that the United States have reached a point where they are no longer able to consume their own production and that of Canada, as they have hitherto done. He thought that, before long, the price of both Canadian and American barley would be regulated by the value of their surplus on the English market, where the importations of barley had, during the last three years, varied from 23,000,000 to 34,000,000 bushels per annum; and he had no fear, if our farmers turned their attention to it, that they would be able to compete successfully on that market. But they would need to turn a deaf ear to the prescriptions of doctrinaires on the Opposition Benches, and attend to the details of their business. It had been urged in the House by gentlemen opposite that the imports of American corn, free of duty, operated injuriously to the interests of our farmers, by competing unfairly with what they call our coarse grains, such as barley, oats and pease, and replacing their consumption. Let us take a comparative view

of our exports and imports of these grains for the past five years as being a fair average upon which to base an estimate. Our aggregate export of oats from the Dominion for that period amount to 11,257,000 bushels, at an aggregate value of \$4,916,000, being an annual average export of 2,251,000 bushels, at a value at the ports where exported of 43c. per bushel. We imported none till 1876, when 628,000 bushels were brought in, and in 1877, 1,697,000 bushels, making a gross quantity of 2,325,000 bushels; but of these we re-exported 1,025,000 bushels, leaving 1,300,000 bushels to be consumed here. We also exported oatmeal during the last two years to the value of \$442,000, so that our import of oats was fairly balanced by these two items. Of pease our gross exports for five years was 9,864,000 bushels, realizing for them \$8,487,000, an average export per year of 1,972,000 bushels, at an average price of 86c. per bushel. Our imports for the five years only amounted to 8,669 bushels in 1877, all of which were re-exported except 1,117 bushels, evidently some fancy grade for seed, as they were valued at \$1,370, whatever the trade may be in the future. So far these two articles have not been imported in sufficient quantities to affect our markets. Of Indian corn, our gross imports for the five years amounts to 29,737,000 bushels, at an aggregate value of \$16,381,000, being a yearly average of 5,947,000 bushels, and costing at the port where shipped an average of 55c. per bushel. Our exports for the same period, of American and domestic corn, were 17,840,000 bushels, of an aggregate value of \$11,386,000, being a yearly average of 3,568,000 bushels, at an average price of 63c. per bushel, in so far as the difference between the import and export price of 55c. and 63c. respectively. If we secured the carrying of this corn over our canals or railways, it would thus furnish employment to our population, and, he presumed, they realized fairly paying rates for its conveyance. There was, also, meal of other kinds than flour of wheat and rye imported during these five years, to the value of \$3,578,000, or a yearly value of \$715,000, and exported \$1,112,000, or a yearly export of

\$222,000 in value, which, we may assume, was chiefly corn meal. The united average of our exports of oats, pease and barley for the five years amounts to 10,278,000 bushels per year, while our imports of these grains for the same period was nominal. During the same period of five years our imports of corn was in excess of our exports, and it, therefore, was consumed at home, amounted to 2,379,000 bushels of an average in each year, and of meal to the value of \$493,000 per annum. Allowing, say 900,000 bushels of corn, to be represented by the imports of meal consumed, we would still have an excess of oats, pease and barley, called coarse grains, over our united imports of corn and meal taken for consumption in the Dominion, of an average of 7,000,000 bushels a year for the last five years. The American duty on corn is 10c. per bushel. Now, he would ask any reasonable man, what effect a retaliatory tariff to that extent on 3,000,000 bushels of American corn consumed in this country annually, would have in increasing the price of the 7,000,000 bushels of surplus coarse grains we have annually exported? But there is another feature worthy of notice here, and that is: that our export of barley for the five years averaged 81c. per bushel; oats, 43c., and pease, 86c. per bushel, while we imported corn during the same period at an average price of 55c. per bushel, which showed most conclusively that no reasonable duty on American corn would raise it in ordinary seasons to the value of our coarse grains, and the duty would, therefore, only burden the consumer to that extent, and be no gain to the farmer. And when the hon. members for Centre Wellington and North Ontario declaim so loudly for a duty on American corn, they were hardly doing a thing that would entitle them to the thanks of their constituents, as they do not produce corn for sale, and only purchase it when low priced for feeding purposes. If the policy those gentlemen advocate were adopted, it would only compel their constituents to pay an increased price, equal to the duty, to protect the corn grown in three or four counties on the shores of Lake

Erie, that being the only portion of Canada where corn is grown to any appreciable extent as a staple crop for sale, while the value of the coarse grains of their farmers would not be increased. Before leaving this point, would the right hon. member for Kingston explain on the principle he has been promulgating with respect to the Canadian producer paying the American duty on our barley exported there, the following circumstance respecting our exports of pease and beans for the past year? From the official returns, he found in 1877 we exported to the United States 470,472 bushels of pease, for which we received \$379,841, or 80c. per bushel; in the same period we exported to Great Britain 1,262,566 bushels, and received for them \$1,100,104, or 80c. per bushel. The same season we exported to the United States 118,281 bushels of beans, for which we received \$117,920, or \$1 per bushel, while the same year we exported to Great Britain 1,578 bushels of beans, at \$1,370, or 87c. per bushel. The query was, did the Canadian farmer pay the duty on the pease going into the United States, or did the American consumer? One thing was evident, the price was the same going to a country that imposed a duty, and going to England, where there was no duty. He now proposed to review the position taken by the party now in opposition on Protection to the farmers when the Government was administered by the right hon. member for Kingston, and they had an opportunity of carrying into effect the policy they consider so important now. But, before doing so, he would briefly refer to what he considered our present position, and, in that respect, he thought the hon. member for South Norfolk (Mr. Wallace) had correctly expressed it, when he said it was not one of absolute Protection nor yet of Free-trade. We have incurred heavy liabilities with a view to developing the resources of this country, and he would not stop to enquire what party was responsible for our debt. It was sufficient for his present argument that it exists, and if we intend to preserve our credit untarnished, it must be fairly met, and that was the duty of any Government in power. It must

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be evident that the requirements of revenue to meet current expenditure must necessitate a tariff for many years to come, with a view to producing that income, and while doing so, must give incidental Protection to our industries. Now, if we raise that duty to such an extent as to reduce our imports, we must sacrifice the necessary income, and, in turn, must impose fresh taxes in another direction; and he thought the policy of the Government was a wise one, to maintain a revenue tariff, and, at the same time, so arrange it as to give our manufacturers the best facilities under it, and he had no sympathy with the ground most unfairly taken by their opponents when they charge the Government with a desire to introduce an absolute Free-trade policy, which cry they only raised to cover their own shortcomings in the matter of this Protection they are now, while in the cold shades of Opposition, so anxious to lead the community to believe is essential to their prosperity, but which, he was afraid, was due to the absence of those gentlemen from the Treasury Benches. The position which hon. gentlemen opposite had assumed on this question seemed a very singular one, when their own past record was examined. One would suppose, to hear them, that the Americans had imposed duty on Canadian products to punish Canada for dispossessing them from office, and that the thing was of recent origin; while, in fact, the Americans imposed these duties on the abrogation of the Reciprocity Treaty in 1866, and they have continued the same since. The tariff in past years, which he would shortly review, would show how anxious these gentlemen were then to protect the farmers. On the 26th of June, 1866, during the first Session of Parliament after reciprocity, the Hon. Mr. Galt, Finance Minister in the Government of the right hon. member for Kingston, in his Budget Speech, proposed a duty of 10c. per bushel on Indian corn and all other grains, except wheat, and, in reply to a question from Mr. Rymal, he stated that he did not intend to propose any duty on wheat, because it was an article that entered largely into the exports of the country, and to have put a duty on it would

only needlessly raise the price of bread, and would not benefit the farmers to any extent, because the price in foreign markets regulated the price in Canada. The tariff adopted in 1866 was as follows: Flour of wheat and rye, 50c. per bushel; flour and meal of all other kinds, except wheat, 10c. per bushel, and wheat was duty free, because Mr. Galt said it would only enhance the price of bread to the consumer without benefitting the farmer. Power was also taken under the Act to repeal the duty by proclamation of the Governor if the United States should in the meantime repeal theirs. In 1868, as the United States had not seen fit to repeal their duty on grain coming from Canada, and the hon. Minister from Kingston still administered Canadian affairs, the tariff was again readjusted, and flour of wheat and rye meal and grain of all kinds, including Indian corn, was placed on the free list, and the debate on the occasion in the House reads as follows: "Sir John Macdonald said that the flour tax had been imposed as an assertion of the independence of the country against American exclusive legislation. It had been maintained with that view until it had been found to work oppressively on certain sections of the community, and was now repealed as a step in the right direction." Now, the other way was called by the same gentleman, by the same term, "a step in the right direction." Turning to another report of this speech in the journals of the day he said further. "He had adopted one uniform policy for administering the affairs of the Dominion." He did not propose to impose a tariff for one section which would bear unfairly on another, and this relaxation was for the purpose of taking a burden off the consuming population of Nova Scotia and New Brunswick, who were unfairly pressed by this duty imposed. Mr. Jones, of North Grenville then rode the agricultural hobby, and for years after, till the member for Centre Wellington took it in charge, and thus kept the interest of the farmers before the Government of the member for Kingston continuously till 1873, and he, at this time, opposed his leader because he said it was unfair to sacri-

fice the interests of 2,500,000 for the benefit of only 250,000 people, while the member for South Ontario (T. N. Gibbs) was then, as now, a consistent advocate of a duty being placed on American flour. Mr. Gibbs said "that he regretted the change in the tariff by remitting the duty on breadstuffs; urging we should still try and counteract the effect of American legislation, which imposed a duty of 20c. per bushel on our wheat, while on flour it was equivalent to a tax of 35c. per bushel on wheat. The kind of Protection the hon. member was advocating on this occasion, for the farmer, was worthy of notice, as it was the policy of the hon. gentlemen opposite when in power, and when it suited their purpose they repealed it. A duty of 50c. per barrel was imposed on American flour, while it admitted American wheat free of duty, and that was his idea of protection to the farmer, being, in fact, a premium of 50c. on every barrel of flour made from American wheat over Canadian. Thus the tariff of the hon. member for Kingston placed both grain of all kinds and flour upon the free list, and they continued it thus in spite of the protest of the members for South Ontario and Grenville till 1870, when another change was considered necessary, and this time it was announced by the ambitious title of a National Policy, whatever that meant. The tariff was then amended as follows: duty on wheat 4c. per bushel; on all other kinds of grain, including Indian corn, 3c. per bushel; flour of wheat and rye, 25c. per barrel; Indian meal, oatmeal, and all other kinds, 15c. per barrel. This was the measure of protection the right hon. member for Kingston and his followers then thought sufficient for the farmer, and it was their estimate then of reciprocity of tariffs against the Americans, whose example they were now so anxious to emulate, for the same object of obtaining reciprocity seems to have been kept steadily in view, and the Act again had a proviso for the abolition of these duties by proclamation, if the Americans withdrew theirs and entered into reciprocity with us. Respecting the American duty on Canadian grain, he would quote their

tariff as imposed on the abrogation by them of the Reciprocity Treaty, in April, 1866, and which remain the same to-day, through all the noise about reciprocity of tariff, or no tariff, made by designing politicians seeking office in this Dominion. The American tariff on grain is as follows:—

Wheat, per bushel .....	20 cents.
Barley, do .....	15 "
Indian Corn do .....	10 "
Oats do .....	10 "
Pease, for seed .....	20 per ct.
do for use .....	10 "
Flour .....	20 "
Oatmeal .....	10 "
Corn meal .....	10 "
Animals .....	20 "

These were the American duties in 1866, and are the same under the tariff of 1877. Again he would draw the attention of the House to the kind and amount of Protection accorded to the farmer under this national policy tariff. He remembered, when at this time he was quietly pursuing his avocation as a farmer, following the plough and drawing his own grain to market, and before he had assumed any of the duties of political life, conversing with one of the leading millers who spoke in loud terms of praise of this National Policy as one of protection to the farmer. But a little examination would show it was framed in the interests of some other parties rather than the farmer. The member for North Ontario (Mr. W. H. Gibbs) had told the House that four bushels, 20 lb., of wheat, made a barrel of flour, say 4½ bushels on which 4c. per bushel of duty was levied, making 18c., while the duty on a bushel of American flour was 25c., a bonus of 7c. on every barrel of flour made from American over Canadian wheat, and the fact was a familiar one, that on the grain market, at that time, as it is to-day, the prices paid to the farmer rise and fall, as a rule, in accordance with the changes in the Liverpool markets, where both Canadian and American surplus grain finds a market on equal terms. In 1871, the National Policy did not sit comfortably on the people, and the peculiar manipulations it received at the hands of gentlemen opposite, who were then still in charge of the affairs of the Dominion, were fresh in the recollection of many present,

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when, after a great deal of manœuvring Ministers themselves aided in voting down this National Policy in the House where they had a working majority of, at least, 40; and again grain of all kinds and flour was admitted free of duty into Canada, and had remained since in that condition, although there was no change of Government till the end of 1873. There was another feature which he thought was entitled to be considered in this question, in so far as this Protection was applied both to the United States and Canada. And the United States were to-day a proof that the protective policy of that country, in which it had full play, had not been in the interest of the farmer. In this connection, he found that if they looked at the relative position of these two countries, it would be plain to every one that circumstances were as he had stated. Both the United States and the Dominion had held out their immense and unoccupied territory as an inducement to the over-crowded population of other countries to settle on those cheap lands and become producers, and had drawn a large immigration in consequence. The United States farmer was placed at this disadvantage: that the great increase of farm products from so much new country being improved, kept the production far above the home consumption, and while paying high prices for all goods he bought, he was obliged to take the prices which his wheat, corn and other products would fetch in the English market, after deducting the cost of freight in transporting his products to that market, because the United States have all through this period been large exporters of wheat and corn, the two great staples of American farm product. In 1876, they exported 87,000,000 bushels of wheat, and 50,000,000 bushels of corn, a fair portion of the transport of which, by judicious management, we should be able to secure for carriage over our canals and railways to the seaboard. A few nights ago the Chairman of the Immigration Committee stated that Manitoba contained 9,000,000 acres of land, and that there was enough of fertile land in the North-West to make twenty Provinces, exclusive of grazing



lands. Few realized how much good grain-producing prairie we possess in that region, and with the large immigration already gone there and rapidly increasing, we may reasonably assume that instead of excluding United States corn from competing with our farmers, our exports of all kinds of grain will be largely increased by the surplus of our own territory; and it would be wisdom in our farmers and legislators, instead of embarrassing our trade with the Western States by foolish restrictions, to remember the probabilities of our own increased production and prepare accordingly, as through the immense reduction in freights from the West, thereby practically bringing them nearer the great consuming markets of the East, reciprocity was yearly becoming of less value to the farmers of Ontario. In 1876, wheat was carried to New York from Buffalo by railway for 5 $\frac{3}{4}$ c. per bushel, less than the tolls levied on it over the Erie Canal in 1870, and the freight paid in addition; while corn cost from Chicago to New York for freight in 1872, 26c. per bushel and the regular rate in 1876 was only 8c. per bushel. Last season, wheat was carried from Winnipeg, in Manitoba, to Duluth, for 24c. per bushel, and from Duluth to Montreal for 10c. per bushel, making 34c. per bushel to the seaboard from Winnipeg, which rate would be materially reduced as the communications by railway into that Province, now in progress, were completed. He had faith in the future of his country, notwithstanding that hon. gentlemen on the Opposition benches seemed expressly anxious to hold on to this depression, which was now clogging our business and depressing our industries. But they were only suffering in a secondary degree compared with the United States. This depression extended to all countries of the world which had commercial relations with each other. He could not help thinking that that depression was to-day the chief stock-in-trade of the Opposition in dealing with the issues before the House and the country. While there was a great deal said about developing the trade of Montreal by securing two or three cargoes of tea per year from foreign ports for the

purpose of building up a tea trade, they should not forget the enormous trade, which, by judicious management, they could build up with that vast producing country the North-West, both American and Canadian, and no city can long enjoy a prosperous foreign commerce that has not facilities for internal commerce and transportation, and the grain trade offers a large business for the employment of vessels to transport it. In connection with that matter, he found that last year Montreal received American grain to the amount of 19,000,000 bushels, while in 1863 it was only a little over 6,000,000 bushels, and, compared with New York, showed a very remarkable increase in that period. The amount of employment given by this trade to our lake craft, our sailors, and our canals and railways, was a feature that should not be forgotten; and, while he would also like to see an import tea trade done direct by Montreal, if thereby the price was not raised to the consumer, which gentlemen opposite professed to be now so anxious to secure, he thought their action was against the commerce of Montreal, by checking the trade with the West by proposing retaliatory legislation. It was a wise policy of this Government to decline to check that trade in any way whatever. As far as hon. gentlemen opposite were concerned, their interest in the agricultural population had been developed so late in the day, that it must suggest itself to the mind of every intelligent man whether this movement was in the interest of the agriculturist or of the struggling politician. From the abrogation of the Reciprocity Treaty in 1866 down to 1873, those gentlemen had power, but their policy at that time was entirely contrary to that which they now advocated. If they had then believed in the principles they now professed, would they not have made some steps in that direction when they held the reins of power. He was not there to impute motives to anyone, but no other legitimate conclusion could be drawn from their conduct on this occasion than that this movement was not so much in the interest of the farmer as in the interest of the party in opposition, who were only anxious

for its aid to climb back into office. In the summer, when the leaders of the Opposition talked so eloquently about the interest of the workingman in this country, when workingmen's demonstrations were inaugurated, it struck him (Mr. Bain) that it was not so much the workingmen they desired to benefit as that class of working politicians who desired to work themselves back to place and power, and to get the votes of these people to enable them to do it. Up to the moment when these gentlemen were driven from office—no, he would not say driven, for they waited not for the formal verdict of the people's representatives, but fled from office precipitately in 1873, when the Pacific scandal came to the surface—up to this period, and as long as they had power to carry out their views, they displayed no anxiety for the agricultural class; but now they were anxious to cultivate the farmer, and he thought the conclusion to be drawn was that it was because of the near approach of the general elections, and because these people had votes.

MR. RYMAL moved the adjournment of the debate.

*Motion agreed to.*

House adjourned at  
One o'clock.

## HOUSE OF COMMONS.

*Monday, 8th April, 1878.*

The Speaker took the Chair at Three o'clock.

### PRAYERS.

#### THE QUEBEC CRISIS.

##### MESSAGE FROM HIS EXCELLENCY.

MR. MACKENZIE delivered a message from His Excellency the Governor-General.

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

"DUFFERIN.

"The Governor-General transmits to the House of Commons a letter from the Hon. C. B. DeBoucherville, having reference to the recent Ministerial changes in the Province of Quebec.

"GOVERNMENT HOUSE,  
"OTTAWA, 8th of April, 1878."

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### SUPPLY.—THE TARIFF.

Order to resume the adjourned debate on Mr. Cartwright's proposed motion: "That Mr. Speaker do now leave the Chair, for the House to go again into Committee of Supply," and of Mr. Brown's motion in amendment thereto:—

"That Mr. Speaker do not now leave the Chair, but that it be Resolved, That whereas a large quantity of wheat and flour has been imported into Canada within the last few years, this House is of opinion that the interests of Canadian farmers would be promoted by the imposition of a duty on these articles."

—read.

MR. RYMAL said he presumed he almost owed an apology to the House for having protracted the discussion on this important question; but he felt, as a representative of an agricultural constituency, that he could scarcely allow it to pass without saying a few words upon it and its effects on the people he represented. The question before the House involved the principles of Free-trade and Protection, so-called—terms which, he ventured to assert, did not properly apply to the condition of things in this country. There was no one, so far as he knew, in the House who asserted that absolute Free-trade would be at all applicable to our present position. It would be well, perhaps, to learn how these terms came into general use. At the time when the starving millions of Britain were asking Parliament to relieve them from the duties on corn, they petitioned Parliament largely, praying for the free admission of corn into their country, and these were known as Free-trade petitions. The landed aristocracy and the farmers, who thought that their interests were imperilled if Free-trade was granted, petitioned Parliament to be protected in the rights they had so long enjoyed, and these were called Protectionist petitions; and it appeared that ever since, in all countries wherever the subject of tariff relations was brought into consideration, that the terms, "Free-trader" and "Protectionist," "Free-trade" and "Protection," had been used. But, as he had said, we held that absolute Free-trade in this country was impossible. No one desired it. No one advocated it. No one

expected it to prevail here; but what they had to consider was, in what way they might best raise the money necessary to carry on the government of the country, and best secure the interests of the people while laying these burdens upon them. He held that we must have a revenue tariff, and that this was the acknowledged system in vogue throughout the civilized world, wherever Governments abstracted from the people the means necessary to carry on public affairs. He believed that it would be better if direct taxation were resorted to, but that it would raise a rebellion in one-half of the civilized countries in the world if the people were made aware of the immense amount of taxation to which they were subject. Governments being wise in their day and generation had consequently resolved to keep from the general public, or the taxpayers, the full knowledge of the great amount of taxation to which they were indirectly subject. He believed that a revenue tariff was the best means by which they could collect the revenue required for the Government of the country; that this tariff should be so arranged as to bear as equally upon all classes as possible; that no class should be specially favoured in levying these duties. That when we had secured sufficient money to meet the demand of the Government, taxation should cease, and that after the money thus secured was equivalent to what we wanted, we should not be foolish enough to commence to tax the people for one another's benefit, which was known as Protection. We had for some years past frequently had this question up before the House for discussion. The cry of Protection was first raised in behalf of the manufactures of Canada, and it became strong at a time when the hon. gentlemen opposite were in power, and were reducing the taxation of the country. He could well remember when enormous deputations of manufacturers used to be around the corridors of this Chamber, importuning members and beseeching the Government in order to increase the taxation with a view, he believed, to their especial benefit. The Government of the day wisely resisted these importunities. It was one

of the wise things for which he gave them credit; but an evil day for these hon. gentlemen came round—a change of circumstances took place. The offices which they had so long filled, they were obliged to vacate, and then a change in their views took place. The manufacturers, principally their political friends, were unable to sustain these hon. gentlemen in office; and they began to look around to find out if it would be possible for them ever to regain the positions they had lost. Then it was that for the first time Protection to farmers became the rallying cry. The manufacturers and the Tory politicians combined, then devised the plan by which they hoped to “rope” the farmers into their ring and victimize them for the benefit of the manufacturers, to wheedle them into the belief that Parliament was going to do something for them and by that means to get them to sustain Tory candidates at the elections and bring about the restoration to power of the men who had disgraced their positions. They had had a trial of this thing. In 1866, the then Conservative Government imposed a tax on wheat and flour—

AN HON. MEMBER: No.

MR. RYMAL said that in 1868 this duty was repealed. If it was proper to impose it in 1866, then it was improper to repeal it, in 1868. The circumstances had not changed materially. Was there an change at all?

MR. GIBBS (South Ontario): No duty was imposed on wheat in 1866.

MR. RYMAL said very well. Then it was levied on flour and breadstuffs. The advocates of this repeal comprised a certain number of the hon. gentlemen opposite who were now anxious for the re-imposition of this duty. He expected his hon. friend from South Ontario from any change in his opinion. Like a good soldier, the hon. gentleman had stood to his guns. He believed that the hon. gentleman could take credit to himself for having been wrong in the first place and for having been wrong ever since. His right hon. friend from Kingston was not in his place; he (Mr. Rymal) wished he were, for he desired to make

a few propositions to the hon. gentleman, and to know whether he assented to them or not; but the hon. gentleman's lieutenants were there, and he supposed they had command of the forces. He (Mr. Rymal) recollected that the hon. member from Kingston, on the 30th April, 1868, made a statement on the floor of the House, which he (Mr. Rymal) now asked permission to quote, as follows:

"Sir John A. Macdonald said that the flour tax had been imposed as an assertion of the independence of the country against American exclusive legislation. It had been maintained with that view until it had been found to work oppressively on certain sections of the community, and it was now repealed as a step in the right direction."

This was the statement of a statesman clothed with responsibility at the time, but to-day this hon. gentleman, divested of all responsibility, wandered to and fro, like some evil spirit, up and down the country, and ignored this declaration which he then made, and endeavoured to delude the people into the belief that the re-imposition of duties of this kind would now be a step in the right direction. On that occasion the hon. member for South Ontario protested strongly against the remission of these taxes; and his hon. friend from Compton (Mr. Pope) took the Nova Scotia view of the question (though no Nova Scotian) and maintained the inadvisability of attempting to subserve the particular and local interests of protective principles prejudicial to the general welfare. These were the doctrines which he (Mr. Rymal) then believed in, though they were set forth by his political opponents, and he still believed in them. Let them, if they could, for a moment decide upon the operation and results of a tax on grain coming into this country. It was said by some that the party growing the grain—we were importing from the United States—paid the duty. He (Mr. Rymal) never heard anyone who possessed credit for having common sense utter such a thing in seriousness. He fancied that no man gifted with a fair share of penetration and honest enough to express his sentiments, was foolish enough to suppose that the American people would for our especial benefit pay money into our treasury and let

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us have their grain at the price the law of supply and demand warranted. Let them suppose a case, because things sometimes become plainer when illustrated. He lived near Hamilton where there was a considerable grain market, and where a good deal of American corn was bought and sold. They would suppose, as was the case at present, when there was no taxation upon this article that he could have corn laid down in Hamilton for fifty cents a bushel. He held that it would be impossible for him to secure it at that price if five cents per bushel were levied upon it. The cost would then be fifty-five cents a bushel. Did this proposition accord with the common sense of his hon. friends opposite? He would like to have their assent to or dissent from some of these propositions, and while the hon. gentlemen remained quiet, as he trusted they would, he should take it for granted that the propositions he submitted were acceptable to them. They then took it for granted that the imposition of duties on American corn coming into Canada increased the price of this article to the consumer in Canada. Let them see what else it did. It also increased the price to the Canadian grower of corn to the same extent, because if it cost him fifty-five cents a bushel to lay it down in Hamilton, he (Mr. Rymal) could not buy it from the Canadian farmer for less, supposing the latter corn to be of equal quality, so that the price was regulated by the admission of American corn into this country, or the price it would bring in any other market, duties and cost of transportation added. The result of this was to the Canadian farmer, a bonus granted by the Government of five cents per bushel in order to induce him to grow corn until the corn-growing capacity of this country was fairly exhausted, or sufficient to meet the entire demand. This proposition, he presumed, would meet with the approval of his hon. friends opposite. He defied them, if it came to that, to gainsay it, or show that it was wrong. They would now take up wheat and see what was the result of bringing it in free of duty. They had always supposed, outrightly supposed, that Canada as far as breadstuffs were concerned,

was not an importing but an exporting country. We had always had more than our people required for consumption and had always exported this article. The United States lying along side of us, with whom we had such large transactions and which was our competitor on the European continent in the matter of grain, had also always had an export of breadstuffs. He held that this could not interfere with the price of wheat in Canada, we having a surplus for export, if the entire trade of the Western States came down over our water ways and railways, and that to exclude it by placing any barriers in the way of trade, even if it were in the form of bonding, would have a tendency to drive a good portion of this traffic into other channels, to the detriment of our shippers, sailors, merchants, and forwarders. In 1875 we imported 5,105,158 bushels of wheat and exported 7,053,544 bushels. Thus, every bushel that we brought into the country we sent out again, besides, 1,948,386 bushels that we raised ourselves. Would any one be bold enough to say that when we had 1,948,000 bushels of our home-grown wheat for sale it made any difference to us how many thousands or millions of bushels were carried over the railways and canals of Canada? We would not buy their wheat, unless as a speculation. We did not require it; our supply was more than equal to the demand. Let him suppose the tumbler which he held in his hand represented our supply, and a smaller tumbler to represent our demand. If he filled the smaller tumbler to overflowing, where would the surplus go to? Or in other words: where would our surplus wheat go to? It must find an outlet through a natural channel to the markets of the world. And if the wheat from the Western States was poured into the already filled cup, it would only add to the surplus which had to be disposed of outside. During the years 1871 to 1877, inclusive, we raised and exported 5,000,000 bushels, in round numbers, more than we required for our own use, and he maintained that under these circumstances the imposition of a duty on wheat would neither do good nor harm; it would injure the Canadian shipper,

railroad people and others engaged in the carrying trade. Coming next to oats, he found on the notice paper a motion that it would be advisable to place an import duty on oats. Well, if we did not grow as many oats as we required and wanted to increase the price, that would be a step in the right direction. But, the fact was that we produced more oats than we consumed. During the five years which he had referred to, we imported 2,326,173 bushels of oats and exported 12,286,156, showing that we exported 10,000,000 of our home-grown oats to foreign markets. What possible influence could the impost of a duty on oats have on the price of those grown in Canada, when six bushels were exported for every one imported from the United States. Besides the 2,000,000 bushels which we imported we exported 10,000,000 bushels of home-grown oats. Barley and rye stood in the same category. In round numbers, we imported 403,000 bushels during the last six years, and imported 40,000,000. Did his hon. friends opposite, then, believe that the imposition of a duty on American barley would have any influence upon the price of our barley? He knew they did not. They were not so greatly mistaken as that. The imports and exports of flour or wheat during the last five years were very much alike, there being only 2,000 barrels difference. Any flour, he presumed, which was exported was from the wheat growing regions of Ontario, and the imports we made went principally into the Maritime Provinces. To impose a duty on flour, therefore, would be to do that which was decidedly unfair, because we would be putting a duty on our brethren of the Maritime Provinces which we did not share, the benefits would accrue to us while the burden would be laid upon them. Let not those who advocated Confederation and who were continually boasting of the manner in which they had carried out that grand scheme, array one Province against another, and mar that perfect unity which they secured a few years ago. He said a few moments ago that the attempt on the part of the manufacturers to delude farmers into the belief that to put a duty on American

grains would be a benefit to the farmers, was a well laid plan to deceive the unwary. That plan, however, was adopted now, and advocated by his hon. friend from Kingston, who at one time denounced it when clothed with responsibility. Now that he had become divested of responsibility, the hon. gentleman played the mountebank from one part of the country to another, and ignoring his professions of a few short years ago, joined with the manufacturers in endeavouring to delude the farmers of Canada into the belief that agricultural protection would be greatly for their benefit. He (Mr. Rymal) admitted that among his friends in Wentworth there were a few farmers who favoured Protection, but some of his opponents, liberal and intelligent men—did not believe it would be for the benefit of the farmer. He had had a long talk with one of them a week before he left to attend to his duties this Session, and speaking of Protection, this farmer said: "Rymal, that cry for Protection is all bosh; I am fully convinced of that, but, nevertheless, I am going to vote the Tory ticket straight." It was because these men were going to vote for the Tory ticket that the right hon. member for Kingston was so anxious to propagate these sentiments and promulgate these ideas, because he might thereby be able to distract and divide the Reformers of Ontario by sowing dissension among them; by advocating a scheme which he once very justly denounced. In fact he (Mr. Rymal) thought the hon. gentleman would turn himself inside out in order to accomplish his designs. It was said by some that farmers were anxiously desiring that something should be done in the way of Protection. Few of the most intelligent, however, would be found who considered that they would be benefitted by anything done in this direction. The great mass of the farmers of Ontario—he spoke more particularly of them because of them he was most qualified to speak—did not believe in this thing at all. The farmers had never asked for themselves this kind of legislation. Among the hundreds and thousands of farmers in Ontario, none had ever sent a peti-

tion there praying for the imposition of a duty on wheat, flour, rye or Indian corn. And when the great assemblage of representatives of the farming community met in Toronto some two or three months ago—he meant the Grand Division of Grangers—did they take any action in reference to this matter? No, a few of them desired to do so, but after sounding the opinions of that representative body of farmers, and finding that it would not do, they abandoned the idea. He thought he had shown pretty conclusively that the importation of American grains—with the exception of corn—into Canada had not a tendency to increase the prices to the Canadian farmer. By placing an impost of five cents per bushel on American corn imported into this country, the farmer's prices would be increased by the amount levied on the American production. That was a proposition which met with the assent of the hon. member for Kingston, that the price of a farmer's produce was increased to the same extent as the tax levied on the Americans. The hon. gentleman was not bold enough to contradict that proposition, and he (Mr. Rymal) took it for granted that he assented thereto. This spasmodic zeal for the interest of the farmer, he held, was brought about by the political necessities of hon. gentlemen opposite. He did not blame them for being anxious to return to the loaves and fishes, because they began to look as if they were hungered. His sympathies were sometimes moved when he saw their unutterable cravings for the flesh-pots of Egypt. But let them attain to that position by fair and honourable means; let them not attempt to delude a confiding public into the belief that their nostrums, which they attempted to administer, would cure or alleviate any malady under which they laboured. The promises held out to the farming community of blessings yet to come rested on the condition that they would fall down and worship the right hon. gentleman and reinstate him as leader in Parliament and Government; if you did not, dire reverses and dire calamities are your fate; but bring

him in and prosperity is yours—your coffers shall overflow with coin and your barns and granaries shall be bursting with plenty. "I will," he says, "give you good prices for all that you can raise, and I have so arranged with Providence that you shall raise big crops." Now, we read of one who went to and fro upon the earth many years ago and tempted the people by false promises. He tempted our Saviour by taking him up into a high mountain, showing Him the kingdoms of the earth, and promising Him all these if He would fall down and worship him. His (Mr. Rymal's) hon. friend opposite appealed to the people of Canada, who, he assumed, would receive many blessings if they would fall down and worship him, but not otherwise. He was like the doctor who, happening to go along the street accidentally, was asked to enter a house for the purpose of prescribing for a patient who was very ill, but, feeling that he had not received a regular call, he refused to give his advice or prescription. So it was with the hon. gentleman—

**MR. MASSON:** That is the Premier's doctrine.

**MR. RYMAL:** I should like to know what sort of prescription my hon. friend would give the country if regularly called in. Would it be a protective, or readjusted, or retaliatory, or scientific tariff, of which we have heard so much from hon. gentlemen opposite?

**SIR JOHN A. MACDONALD:** You did not finish the story about the man who went up into the high mountain.

**MR. RYMAL:** That was not a man, that was the devil; the other tempter did not go up to the top of the mountain; he went round the country holding picnics and tempting the people. It was said that the importation of American corn into this country was detrimental to our farmers, as it would lower the price of their coarse grains. Now, what did the importation of grain into this country last year do for the revenue of the country? We brought in and retained for distillation about 1,000,000 bushels of corn free of duty. And what did it

produce? Those who were conversant with the distillation of spirits told him that every bushel of Indian corn produced three and a half gallons of spirits, and there was an excise duty of 75c. on every gallon so produced, so that from 50c. worth of corn imported into this country free of duty, \$2.62½ went directly into the Treasury of the Dominion of Canada, being a duty of 52½ per cent., and yet he was told that the importation of corn was detrimental to the best interests of our country! Why, if we could import 10,000,000 bushels and put them through a process of distillation, we would derive a revenue of upwards of \$26,000,000—sufficient to pay the entire expenses of the Government of Canada. But some one said if "they must have whiskey let us make it from our potatoes, our barley, or our rye." Well, how would the distiller fare under that operation? His hon. friend the member for Centre Wellington (Mr. Orton), a night or two ago, when speaking about barley, malt and corn told them that 24 pounds of corn contained the same amount of essence, or extract of spirit suitable for the production of beer or spirits as 36 pounds of malt and 36 pounds of malt represents a bushel of barley, so that one bushel of corn was equal to two of barley for the production of spirits or malt liquors, and was equal to one and one half bushel of rye for the same purpose. If, therefore, a bushel of corn worth 70c. including a duty of 20 c. could produce the same amount of spirits or beer as two bushels of barley, it would actually be worth \$1.40, and 1½ bushels of rye would be worth \$1.05, so that it was impossible—unless the importation of corn was prohibited—to expect the coarse grains raised by the Canadian farmer could ever enter into successful competition with corn in the production of spirits. His hon. friend from Kingston had frequently, in his campaign speeches, referred to the fact alluded to by him to-night that the Canadian produce paid the duty on the barley sent into the United States. A more illogical proposition, it appeared to him (Mr. Rymal) never emanated from a man occupying for so long a time such a position, and it was

evidently opposed to many previous statements of his to which he (Mr. Rymal) would refer. Why, if we imported cottons and consumed them, we paid the duty; if we imported grain or Indian corn from the United States for consumption, we paid the duty. The same might be said with reference to the barley from eastern townships, to which the hon. gentleman had referred. If the American people imported that barley for consumption, they paid the duty. The duty was paid in every case by the consumer. There was no doubt about that. No one but a madman would attempt to argue to the contrary, and no one but a fool would believe it. The hon. gentleman has said, "What was sass for the goose was sass for the gander," and endeavoured to fatten his geese with such flapdoodle as that, but their constitution on his (Mr. Rymal's) side of the House was too high for such stuff. It reminded him of the Scotch parson who had a servant of the opinion that he could preach as well as his master, and he told his master so. "Well," said the parson in reply "do you think you could draw an inference, John, if I were to give you the text?" "Faith, I think I could," said Jehn. "Well, I will give you this text and we shall see:

"And the wild ass's colt snuffeth up the wind."

Now, John, just draw your inference from that." "I would infer from that," John replied, "that it would sniff a lang time before it would be unco' fat." And so he (Mr. Rymal) thought with regard to the Tory followers; they had been flapdoodled to any extent. It was sometimes amusing--dropping this corn question, because he believed it had been thoroughly disposed of, and that from the able manner in which it had been dealt with the farmers must now thoroughly understand it—he had often been amused at the boasting which hon. gentlemen opposite indulged in as to the result of the next appeal to the people. He was not vain enough to suppose that his own party would come out of the battle without some of their number being slain, but the hon. gentle-

men opposite had better be careful that they were not drawn into an ambush, and before they knew what they were about, be unborsed. He had no doubt that when they assembled after the next election many well-known faces would be missing; there would be many who might be numbered, for the time being, among the political dead. His right hon. friend from Kingston (Sir John A. Macdonald) had indulged in a great deal of boasting. He had predicted on almost every platform on which he appeared, that the time had come, that the handwriting was on the wall, and that all they wanted was an appeal to the people to be triumphantly returned, and to become leaders of this House and directors of the affairs of this country. He (Mr. Rymal) would rather boast when laying aside his armour than when putting it on; and he would advise gentlemen opposite to look well before they leapt, and to watch their opponents pretty closely. He presumed the friends of the Government meant to win the battle if possible; at least, speaking for himself, he expected a pretty hard contest. He would promise his opponent, whoever he might be, if his life was spared and his health held out, that the constituency would be contested inch by inch, and if his friends who had scored victories continuously for forty years again stood by him, as in days gone by, he could defy opposition. His hon. friends opposite were inclined to boast about the successful demonstration they had in Hamilton last summer, and he was bound to say that if mere numbers created a success they had reason to feel proud; but the fact was that one-half of the people who attended that demonstration were attracted by the same curiosity as they were two years before, when Barnum came along with his menagerie. One of the right hon. gentleman's supporters remarked to another man: "This is the grandest day, the biggest day that Hamilton has ever seen." His listener replied, "Well, I don't know, I can't say that; but it is the biggest day Hamilton has ever seen except the time when Barnum came here with his show." Certainly it was a large demonstration, but he (Mr.



Rymal) did not believe more than one-half of those present were political adherents of the member for Kingston. If they had not a crowd it was not their fault. Hon. gentlemen would be aware that the showman's business was to have a gorgeous band chariot when they entered a city, and stirring sounds of music and a grand procession, in order to announce to the people that the show was about to open. It was the same when his hon. friend from Kingston was about to exhibit in Hamilton. They ran out the gilded chariot, they had a band and they had a procession. They not only paraded the city but five miles outside, and when at Dundas the hon. member was put through his paces and made a speech, so he (Mr. Rymal) was told, in the same time as the celebrated fast trotter made her mile, viz.: two minutes and seventeen seconds. "By my soul," said a witty Irish listener, "but he made a nate little spache." He was delighted to hear that they had paraded for four or five miles along the border of his (Mr. Rymal's) county; he did not believe it would hurt him if the hon. gentleman paid another visit up there, for dissatisfaction rather than satisfaction prevailed after he had left. He did not meet the expectations of the manufacturers at all. He was not positive enough. He told them, "You must make out your case, and when you have made out your case, why, of course, we will consider it." This was like his National Policy, and, knowing him as some of them did, they said, "Well, now, it is just a matter of question whether we are to believe the old fox or not." Then the hon. gentleman went down to the Eastern Townships, and there he became wonderfully enthusiastic. Richard was himself again; he rode the high horse; he discovered that the country was rising; that the handwriting was on the wall; that the tocsin had sounded; that the heather was on fire and running from hill to hill; that the people were crying to him from rock to rock, across the lakes: "Come to our rescue, Johnny, or we are lost!" Medical testimony proved that such hallucinations of the mind were brought about by disorders of the liver and an over-

stimulated state of the stomach, which, if not attended to ended in a settled conviction not only that these fancies were real, but also that there were bees in his bonnet, or snakes in his boots. He (Mr. Rymal) was glad to accept the situation in which his own party was placed. He ventured to assert that the Government of his friends would be sustained by the people. Before he concluded, he would draw attention to the condition the country might have been in if the hon. member for Kingston and his followers had been allowed to retain office and control the destinies of Canada. In 1868 their estimated expenditure was \$13,486,000; in 1869, \$14,038,000 in round numbers; in 1870, \$14,345,000. The car had not begun to go very fast yet; the propelling power of steam, as it were, had not got up, but they were beginning to move, and in 1871 the expenditure had amounted up to \$15,623,000. Then the car had begun to move with considerable speed. In 1872, it was \$19,589,000. The steam must have been up to a considerable extent then—20lb. to the inch, or thereabouts. In 1873, the expenditure was \$19,174,000, and in 1874, \$23,316,000. The car of Stato was running down to ruin pretty fast then; day by day, with accelerated speed, it was rushing forward to the gulf which would have destroyed the prospects of this Dominion had not the present Government been permitted to take charge of the car. The expenditure of the present Government was: In 1874, \$23,713,000; 1875, \$24,438,000—a slight increase over the previous year—and in 1876, \$24,488,000. He could understand how the increase occurred. This car had been going down the road to ruin at such an accelerated rate of speed that it was almost impossible to stop it all at once; it would, perhaps, have been ruin to the car to have done so, and before they could overcome its momentum it had reached the high figure of \$24,488,000; but they threw obstacles in the way and reduced the rate of speed as well as they were able, and in the following year the amount of expenditure was \$23,378,000, being a reduction between the first and third years of

their administration of \$335,000. He thought it was reasonable to ask where they would have been if the car of State had been allowed to run on to ruin at the same rate as it was during the administration of gentlemen opposite. After a careful calculation he found that their annual average of increase of expenditure was \$1,638,370; and if that had continued up to the present time, the Estimates required for the present year would have been \$29,860,000. He thought he had a right to make another calculation in this matter without being unjust to hon. gentlemen opposite. This passage down this road to ruin became swifter and swifter year after year. He had a right to ask where they would have been had this thing continued at the same rate of progress which they were making during the last two years of their incumbency in office? He found that in that case the expenditure would have been for the present year \$34,770,000. He would go further. He thought they had a right to estimate their increase at the same rate which the last year gave over the previous year of their tenure in office, and he found this would give the sum of \$40,000,000, which would have been required to meet the reckless waste and expenditure they would have incurred. When facts like these were laid before the electors of this country, one and all of them, no matter what their avocations might be, they would hesitate a long while before committing the business of our country into the hands of these hon. gentlemen who had driven the car down the road to ruin at such an accumulative pace.

MR. GIBBS (South Ontario) said that, as hon. gentlemen opposite had been good enough specially to refer to remarks which he had made in years gone by, when this subject was brought before the notice of Parliament, he desired to make a few observations in reply. The hon. member for South Wentworth (Mr. Rymal) had stated that he (Mr. Gibbs) had commenced wrongly in years gone by, and had also given him the credit of having continued in the same course down to the present day. Despite the arguments which had been adduced by hon.

gentlemen, who had spoken long and eloquently on this subject from a different point of view, he remained still of the same opinion. The impressions which he had gathered from the course which the American Government had pursued after the abrogation of the Reciprocity Treaty, in 1866, had led him to the conclusion then that the only course to be pursued by the Government of Canada, if they wished to obtain a renewal of the Reciprocity Treaty, was to pursue one similar to that adopted by the United States. During the period from 1866 down to the present time, the American Government had shown no indication or intention to alter its commercial policy or their tariff in any way, at any rate, so far as it would lead in the direction of Free-trade or free intercourse in those products which had, previous to reciprocity, been exchanged between the two countries. He had had the honour, upon the floor of the old Parliament of Canada, to advocate the same principles which had been advocated during the present Session by the right hon. member for Kingston in his resolution introduced the other day, and by hon. gentlemen who had spoken in favour of that resolution. He had also advocated the policy which had been introduced by the hon. member for West Hastings (Mr. Brown), seconded by the hon. member for East Durham (Mr. Ross); and he still believed, as in 1866, that this country could not expect a change of policy on the part of the American people until this Government had something to offer in exchange for what they desired. They had sent an emissary, a Minister plenipotentiary, from Canada to confer with the Government of the United States, with a view to obtain reciprocal trade relations. He had no doubt that that hon. gentleman had been met at the very outset by the question: "What have you to offer us in return for the boon you ask at our hands?" The people of Canada were not willing to impose duties upon certain American products, or increase the duties now placed upon American manufactures, and, therefore, they had nothing to offer in exchange. Now, gentlemen opposite were perfectly satisfied that this state

MR. RYMAL.

of things should continue, and that its continuation was in the interests of the trade of this country. He believed the only true policy which this Government ought to pursue was: having failed in one respect, they should try another. His (Mr. Gibbs) arguments had failed in the past, and a different policy to the one he had advocated had been pursued—a policy which had proved itself inimical to the best interests of Canada, and, therefore, he saw no reason to authorize his abandoning the views he then enunciated. He must protest against the statements made by hon. gentlemen opposite, that it was the intention of the Opposition to impose any larger amount of taxes than what was now raised. What they desired was a readjustment of the tariff, not to raise any larger amount of taxation than was required for the purpose of the Government. The policy of England was considered a Free-trade one, and yet, they had been obliged to impose taxes to raise the revenue. The United States was considered a protective country, and it raised revenue in the way it considered best adapted to the interests of its own people. On this side of the House they desired there should be a readjustment of the taxes, that they should press more heavily on one interest and less on another than at present, but that in the aggregate they should not exceed the amount required for the purpose of revenue. It was a fact that the Congress of the United States was, at this moment, considering the propriety of readjusting the American tariff, and yet, after having had an experience for the last 12 years of the effect of the duties imposed upon Canadian products, they had not the slightest intention, at present, of reducing those duties one iota. They had entertained the proposition of lessening the duty on lumber, but had not yet come to any conclusion in that respect. He desired to speak of the duties levied upon the one article, the principal production of the Province of Ontario—the article of barley—of which a great deal had been said by hon. members on the other side of the House, particularly by the hon. member for South Wentworth (Mr. Rymal), who had stated that no person would believe that the

Canadian producer paid the duty on that produce, but that it was the American consumer, and that any person who believed anything else was nothing but a fool. He was prepared to join issue with the hon. gentleman on that point. He spoke not only his own sentiments and views, but the views of those who were directly interested in this traffic, who did business with the United States in the articles of barley and malt, when he said that, if the duty upon Canadian barley were removed, the price would not fall one cent on the New York Produce Exchange. He had discussed that question with some gentlemen there, and had asked their opinions with reference to the repeal of the duty on barley, and they had stated that it would not reduce the value of this product one single iota. The reason given was this: At present the price of barley in New York was upon a different basis from what it had been for several years; it was now upon an export basis. He regretted this, because the export was one which would produce a very small return to the producer of that article in the Province of Ontario. Unfortunately, that was the position of the trade to-day. Canadian barley was considered by the maltsters of the United States to be worth from 15c. to 20c. per bushel more than their own production, and yet it was a fact that American barley to-day brought just as much for export as Canadian barley, which was superior in quality, and worth from 15c. to 20c. per bushel more than the American barley. Further than that, inferior as was the United States barley to Canadian, yet it was a fact that it was taken as an article of export to the United Kingdom in preference to the Canadian. The former was what was called two-rowed barley, while that grown in Ontario was six-rowed. The former weighed more than the latter, and though it was inferior in colour, yet it was taken in preference to the latter. The result of taking the duty off Canadian barley would be that it would bring in the United States market, for malting, 15c. to 20c. over American barley, exactly the amount of duty imposed. He did not mean to assert that this had always been the case, but, at the present moment, the

fact was incontrovertible. He would illustrate his argument still further. He would take the article of lumber as an illustration. Why were those engaged in that trade on both sides of the House rejoiced at the fact that Congress was about to reduce the duty on lumber? Was it because, on the duty of \$2 per million feet being abrogated, the price of lumber in the American market would fall to a corresponding extent? Were the duty removed to-day, the price would remain the same, the reason being, simply, that Canadian lumber was not so important a factor in the United States market as to affect the prices now ruling there. The proportion which Canada sent to the United States was so small, in comparison with the entire manufacture and consumption of that country, that it had no appreciable effect on the prices of lumber in the American market. It was for this reason that gentlemen engaged in the lumber business had been rejoiced to hear of the probable action of the United States Congress on this subject. He was now speaking from a practical point of view on a business with which he was practically acquainted, and respecting the correctness of which hon. gentlemen on both sides of the House could testify. It was not sought to affix duties on these products of the United States, merely for the purposes of revenue, but as a means to an end. They could never affect the policy of the people on the other side of the line until they adopted a course of this kind. He might state, for the consideration of hon. gentlemen opposite who spoke so glibly on this subject, that it was a matter of surprise to the people of the United States that the people of Canada should pursue their present course on this important question. He had, upon former occasions, explained the policy of the United States with reference to the introduction of raw material into their territory, as compared with the course of hon. gentlemen opposite in reference to the same subject. He had stated, as the hon. member for North Wentworth had said the other evening, when he read an extract from one of his speeches, that while the duty on wheat was 20c. per bushel, the duty on the manufac-

tured article of flour was 20 per cent. *ad valorem*, or tantamount to a duty of 35c. per bushel. The policy of the United States Government was entirely opposed to that of the Canadian Government, and the people of the United States prospered under it. Had the people of Canada prospered under the policy pursued by the Government for the past few years was known as the "fly on the wheel policy?" The supporters of the Government met the Opposition at once by asking them why they did not, when in power, impose those duties? As the hon. member for Stanstead had clearly shown, an entirely different state of things then existed. The circumstances of the case would show that very little was imported into Canada from the United States during the war and for many years afterwards. He did not desire to go into a long discussion to-night on this question, which had been very fairly argued. The motion under consideration might be taken as a motion of want of confidence in the Government, brought forward by two of its supporters, and he hoped it would meet from hon. gentlemen opposite the same measure of support which it would receive at the hands of hon. members on this side of the House. The interest sought to be fostered in this resolution, the milling, was one of the largest in the Dominion. In it there was as much capital invested, and as much skill and intelligence required, as in any other branch of manufacture, if it could be called a branch of manufacture. It was placed in peculiar circumstances by the action of the United States, on the one hand, and by their own inaction on the other; and it was desired to remedy that state of things to some extent. There had been remarks dropped, amounting almost to inuendoes, that he was not altogether as disinterested in his advocacy of this resolution as he would, under other circumstances, have been. When the motion had been made in 1866, to impose a duty on flour, he thought it was only right that there should be one placed on wheat also. As a private member of Parliament, it was out of his power, or that of any private member, to move an amend-

ment in that direction. In 1870, when Sir Francis Hincks brought down his policy, he desired to have a duty put on wheat in the same ratio as flour,  $4\frac{1}{2}$  bushels to a barrel of flour. It had been said by the hon. member for South Wentworth (Mr. Rymal) that no benefit would inure to Ontario, while the burthen would be laid on the Maritime Provinces, if the resolution proposed was carried out. There were two or three ways of viewing that proposition. He believed if a duty were imposed on wheat and flour it would enable our railways to carry all that was required for the consumption of Quebec and the Maritime Provinces, without increasing the price of those articles. Some hon. gentlemen opposite did not pretend to say that the imposition of the proposed duties would be of the slightest benefit to them. On the other hand, he maintained that our own people should have the preference in the Canadian market, which at the present time was not a very remunerative one, instead of giving the preference to foreigners, who, by the policy they pursued in imposing duties which were prohibitory, prevented our people entering their markets. For that reason, he believed, it would be in the interests of this country to impose the proposed duties on wheat and flour, without imposing burthens on the people of the Lower Provinces. In former years, when there was a differential duty, as against the people of the United States, the people sent large quantities of flour to Boston and New York, in bond, for transmission to the Lower Provinces. That was being done, to a certain extent, at the present time, and would, no doubt, be continued if the duties proposed in the motion were imposed. It had been said that the adoption of such a policy would reduce the traffic on our railways and canals; but that he denied. The people of the United States were as astute and as well able to consider the several bearings of this question on their trade, as we Canadians, and yet, there was no disposition on their part—and no evidence whatever in the proceedings at Washington—to repeal, or even reduce the duties. If it did interfere with their trade, they would be the first to

pay attention to it. Our wheat and flour, to a large extent, was shipped in bond from American ports to England, and that system would continue if the proposed duties were levied. By the adoption of the arrangements suggested in the motion, instead of our becoming exporters, we would become consumers of our own products, and, instead of the people of the United States sending their wheat and flour into this country, they would be compelled to take the worst part of the trade (the export), we keeping the best for ourselves. He believed the time had arrived when we should legislate in such a direction as the interests of our people required, regardless of its effect on the United States or any other country. He believed that the time had come when the people of Canada, at the next general elections, would discuss this important question fairly and fully. The argument presented by hon. gentlemen opposite was, that the proposal contained in the motion, if carried into effect, would not benefit the country, while the Opposition maintained that no injury could be done, but beneficial results would follow the adoption of the policy which they had submitted to the House and advocated in the country. Some hon. members appeared to believe that the coarse grains of the Dominion interfered with the farmers. If they believed that, and we produced more of those than Canada required, and the surplus was exported, the arrangement would also hold good with regard to wheat. In view of the facts which he had stated, believing that the policy of the United States in the future would be what it had been in the past, and would not be changed, and believing that their policy had been injurious to the people of this country, he would support with much pleasure the resolution introduced by the hon. member for West Hastings (Mr. Brown), though it was only part of a policy which he believed would be adopted by the people of the Dominion whenever an opportunity was afforded them of placing gentlemen in power who would carry out their views in that regard.

MR. CASGRAIN said that this proposition would impose a direct tax on

the grain and flour brought into this country; and, as the population residing in the greater part of Lower Canada obtained the flour which it consumed from other countries, this, as he had heard the hon. member for Wentworth (Mr. Rymal) state, would really be imposing a tax upon the Province of Quebec purely for the benefit of this part of the Dominion; that was to say that the Province of Ontario would obtain the advantage that would result from this policy with regard to the consumption of flour. On the part of the electoral district which he represented, he formally opposed this motion; and would be glad to see hon. gentlemen who sat near him support him by expressing the same opinion.

MR. MASSON said he was really surprised to hear the hon. gentleman find fault with the representatives of the Province of Quebec on the ground that these hon. gentlemen had not spoken one word on this subject. If the hon. gentleman had followed the debate in the slightest degree, or been present last year, he must have known what were the feelings of the Conservative party on the great question of the tariff. Last Session, he addressed the House for an hour and a-half on the tariff question, and distinctly stated that he believed the sentiment of the Conservatives of the Province of Quebec was, as he had always been, against the imposition of duties on flour. He had always expressed that opinion, and had done so last year. He had distinctly stated at that time that the tariff question must be considered as a whole, and not from a sectional point of view. He stated last year, at length, that the people of the Province of Quebec would never consent to the imposition of duties on flour, corn, and coal, unless Quebec received, by the legislation of the country, a fair and just compensation for the imposition of that duty. He was not surprised at the position taken by the hon. member for L'Islet (Mr. Casgrain). He remembered the stand taken in the county of Drummond and Arthabaska when the hon. the Minister of Inland Revenue was contesting that consti-

MR. CASGRAIN:

tuency. That hon. gentleman had there stated—and he should have known better—that he (Mr. Masson) had been in favour of imposing a tax on flour without telling the people of that county the restriction he placed upon the expression of his opinion, namely, that the tariff question must be considered as a whole, and not deal with the imposition of a tax on flour as a distinct motion. The hon. the Minister of Inland Revenue must feel rather discouraged at the expression of opinion he had heard in the House. He must have found there were in the House more Conservatives than he had supposed; that Conservatives had cropped up on all sides, on the Government as well as the Opposition side of the House; but those gentlemen, either from party spirit and other causes in their devotion to Protectionist ideas, were endeavouring to force them in a sectional spirit, and not deal with the question as a whole. They proposed and offered protection to certain industries while they left the others out in the cold. The Conservative party did not act in that manner. They had resolved upon having a Protection policy, and they had always said so. The hon. member for South Wentworth (Mr. Rymal) had taunted the right hon. member for Kingston for having been, in 1868, adverse to Protection. The hon. gentleman had omitted to state that in 1872, just a year before the late Government left, the right hon. member for Kingston had made a speech in which he declared that the policy of the Conservatives was to so readjust the tariff as to give to our national industries that protection which had created the industries of England and the United States. This clearly indicated that the policy of the Conservative party in 1872, at all events, was that of Protection. He would tell his hon. friends from Quebec and the other Provinces, there was only one way to obtain Protection. He would tell the hon. member for Iberville, who had given notice of a motion for Protection to certain agricultural products, and members of the National party who were in favour of Protection, that the only way to obtain it was to go in for a complete scheme;

otherwise the policy advocated would never triumph, either in Parliament or in the country. If the people of Hamilton would have exactly the protection they required, and nothing else; if the people of Ontario and the representatives of the wheat-growing counties would only have a protection on wheat and agricultural products, and the representatives of Nova Scotia only accept a duty on coal, they might rest assured that a protection policy would never be adopted in this country—that broad policy, which he thought would be for the benefit of Canada, and for which he had fought sincerely, though humbly. No one could fairly accuse him of not having expressed his sentiments on that question. When he entered political life, he advocated Protection. If Her Majesty's loyal Opposition should be called upon to take charge of public affairs, and were not found ready—as they were now ready—to advocate and put into execution a protective policy, they would be unworthy of the name of the loyal Opposition, and unworthy of the confidence of the Crown and country. He said this freely, frankly and boldly, and he knew he spoke the sentiments of every Conservative in the Province of Quebec, at least. He supposed the hon. member for L'Islet (Mr. Casgrain) knew now his views on that question. He was sorry he had been compelled to repeat them. Last Session he gave utterance to them, and they were not controverted by any of his friends; indeed, he knew they were the opinions of hon. members on the Opposition side of the House. He admired hon. members who, during the debate, had brought out new considerations and fresh points, but as he (Mr. Masson) could only reiterate what he had already said, viz: that the Province of Quebec would never accept a policy imposing duties on wheat and flour, unless it was part of a grand scheme by which the Province would receive that compensation to which she was entitled, he had not thought it worth while inflicting a second speech on the House.

MR. LAURIER said the interpellation of the hon. member for L'Islet

(Mr. Casgrain) had produced a good result, in that the House had, at last, obtained a statement of what was the true policy of the Conservative party of Quebec on that question. The hon. member for Terrebonne (Mr. Masson) had mentioned that he had made that statement last year. It was not within his knowledge that the hon. gentleman had ever frankly said he was in favour of a duty on wheat and flour. What he had stated was, that he was prepared to consider the possibility and advisability of placing a duty on wheat and flour, if the country went in for a grand scheme of Protection; but it was not within his knowledge that the language of the hon. member was as frank and candid as it should have been on this question. He had always guarded it and put it under restriction. The hon. gentleman had never stated, either on the floor of Parliament, or on the hustings, or at Larignien in Drummond and Arthabaska, at which the hon. member and himself were present, that he (Mr. Masson) was in favour of a duty on wheat and flour, because he knew very well that such a duty would not only be exceedingly unpopular in Quebec, but very injurious to the best interests of the Province. The hon. gentleman knew that Quebec was not a wheat-growing country. If he was not aware of that fact he should have stated boldly that he was in favour of a duty on wheat and flour, but he well knew that the Province would resist such a duty, and in order to give the policy a colour and make it acceptable to the people, he had always stated that, when the people had obtained protection to their manufactures, he would be prepared to consider the advisability of placing a duty on wheat and flour.

MR. MASSON: I say so now.

MR. LAURIER said he thought the hon. gentleman said more than that, namely, that he was prepared to go for a duty on wheat and flour—not if a duty on wheat was considered alone, but if it was considered along with other cereals.

MR. MASSON: I did not say that, I said with the general policy of Protection.

MR. LAURIER said he had mistaken the statement. He had thought that the hon. member for Terrebonne was more explicit than formerly, but he found that such was not the case. The statement was as vague as before, and Conservative gentlemen would go on the hustings and say, "When a duty on wheat and flour was proposed, we voted against it; but remember we are not in favour of opposing it, and if it should be presented as part of a general scheme of Protection, we would consider whether that duty should be a part of that system or not." He asked the House now to mark the language. The hon. gentleman would not state frankly and candidly that if such a duty was proposed as part of the whole system of Protection, he would vote for it, but merely said that if a duty on wheat and flour was presented, together with a general scheme of Protection, then he would simply consider it. That was language which had always been used by the Conservative party of the Province of Quebec, from whom they could never obtain a frank declaration as to whether they were for or against a duty on wheat or flour.

MR. MASSON: We are against it.

MR. LAURIER said that statement showed the position. He had stated last year, and repeated it now,—for it was evident to every hon. member of the House,—that if the Opposition party were to cross the floor and occupy the Treasury benches, they never would agreed on a tariff policy. There was a section of the Conservatives of Quebec, which, when called on to say whether they were in favour of a duty on wheat and flour or not, were only able to say they would consider the question. He wished to know from the hon. member for Terrebonne whether, if a whole scheme of Protection was submitted to the House, one plank of which scheme was a duty on wheat and flour, he would vote for the imposition of the duty. That was a question to which he desired a plain answer,—not such a vague one as he had just given, that he would consider the advisability of imposing such a duty. He was prepared to say that if hon. gentlemen opposite acceded to power, and were

MR. MASSON.

ever to desire a tariff which included the imposition of a duty on wheat and flour, they would not dare to put it on the Statute-book, because they knew that it would not be tolerated by the Province of Quebec, which was obliged to import nine-tenths of the wheat which was consumed by its people. He at first thought the hon. member for Terrebonne had stated frankly what his policy would be, but he was mistaken, for his statement this year was not more advanced than last year, and they did not yet know whether hon. gentlemen opposite were prepared to impose a duty on wheat and flour or not; but the people of the Province of Quebec would appreciate the motives of hon. gentlemen opposite, and it would be apparent to every elector that the so-called policy of Protection was simply a snare prepared to catch votes at the elections.

MR. MASSON said that at a meeting in Drummond and Arthabaska, the hon. Minister of Inland Revenue had read from the French version of the *Hansard*, although he (Mr. Masson) had asked that his remarks be read from the English version, they having been delivered in that language. He did not care whether this policy would benefit Ontario or not. All he desired was to benefit all the Provinces of the Dominion. He did not wish, as the hon. gentleman (Mr. Laurier) stated in his county, *faire les yeux doux*—to make sheep's eyes, to the people of Ontario. He had never said this at all.

MR. LANGEVIN said that the hon. member for L'Islet had, in great haste, asked the hon. members from the Province of Quebec, sitting on the Opposition side of the House, to make their views on this matter known to the House. If the hon. gentleman had followed the debates that took place on this question last year, he would have become acquainted with their policy on this subject. The hon. gentleman was ill last year, and this might be his excuse for not being able to account for what took place then in this relation; but this year the hon. gentleman must have known what passed when the right hon. member



for Kingston, on the 12th of March, ult., moved his amendment to the motion that the Speaker do leave the Chair and the House go into Supply. The hon. gentleman should recollect that long debates ensued, and that some, at all events, of the hon. gentlemen, members of the Opposition from the Province of Quebec, had then expressed their views on this subject, and he should know what these views were. But the hon. gentleman now desired to make a little speech on this subject, in order to show that he was looking after the interests of the Province of Quebec, and that the Conservatives from this Province had forgotten these interests. Of course, they left it to the electors of the Province to decide this question at a future date; but, at all events, the hon. gentleman, before this discussion was concluded, would have more than one opportunity of hearing what were the views of the Conservative members from the Province of Quebec. When the amendment of the 12th of March was moved, the question was placed before the House. This motion was as follows:—

“That all the words after the word ‘that’ be left out, and the following inserted instead thereof:—‘it be *Resolved*, That this House is of opinion that the welfare of Canada requires the adoption of a National Policy, which by a judicious readjustment of the tariff will benefit and foster the agricultural, the mining, the manufacturing and other interests of the Dominion; that such a policy will retain in Canada thousands of our fellow countrymen, now obliged to expatriate themselves in search of the employment denied them at home, will restore prosperity to our struggling industries, now so sadly depressed, will prevent Canada from being made a sacrifice market, will encourage and develop an active interprovincial trade, and moving (as it ought to do) in the direction of a reciprocity of tariffs with our neighbours, so far as the varied interests of Canada may demand, will greatly tend to procure for this country eventually a reciprocity of trade.’”

The hon. gentleman should have known that this was their policy, which they had sustained with their votes. The hon. gentleman's name was found amongst those of the opponents of this motion. The hon. gentleman did not wish this policy to be carried out, or that the great industries and the great interests of the Dominion and his own

Province should be protected. No; but on that question the hon. gentleman was silent—dumb; his voice was never heard upon it; he did not then utter a word; but, when this proposition respecting wheat and flour came up, with great energy the hon. gentleman exclaimed, “I will vote against it.” In order that the interests of the Province of Quebec should be protected, the vote of the hon. gentleman was not required. The hon. gentleman would see, when the vote was taken, how the Conservatives would vote on this motion. The hon. gentleman should have waited a little longer, until the vote was taken, to see whether the Conservative members from the Province of Quebec would enunciate their views on this matter, and whether they were afraid to state how they would vote upon it. He did not want to use an unparliamentary word, but he could not characterize this motion as other than a selfish motion. When the issue was placed on a broad basis, comprehending the protection of all industries and interests of the Dominion, they found a large number of the hon. gentlemen opposite voting against it, though he must say, in justice to the hon. mover (Mr. Brown) of this motion, that this hon. gentleman supported, by his vote, the motion of the right hon. member for Kingston, but the hon. seconder (Mr. Ross) had voted against it, and against the protection of all the industries and great interests of the Dominion. The hon. gentleman did not desire to see such a policy carried out, and cared very little whether the Province of Quebec was ruined, as well as the Provinces of British Columbia and Manitoba; the hon. gentleman looked only to Ontario, and demanded a tax on wheat and flour, while the interests of the Provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island were as nothing in the scale. Let them go down; let the depression destroy them all, well and good, but let Ontario prosper. This was the apparent desire of the hon. gentleman who clamoured for a duty on wheat and flour. This was a selfish motion. He (Mr. Langevin) did not suppose that the majority of the House would support such a selfish policy. At all

events, he, for one, as he had said before, and as he now openly declared before the hon. the Minister of Inland Revenue, too, opposed this tax on wheat and flour, because it would be most selfish and unjust. It was not a tax that would benefit the whole Dominion. Let wheat, flour, coal, coarse grains and many other articles, be included in a general policy, and let a readjustment of the tariff take place; they would then be in a position to vote for a measure which would protect all the interests of the Dominion. But when the protection of a particular interest, only because this would favour one particular section of the Dominion, was demanded, they must reply in the negative. He could not vote for such a proposition, and he hoped that the majority of the House would not support it; but, when the protection of the whole of the interests of the Dominion was in question, he had no doubt that, though they did not find a majority to support this policy in this House, yet they would, in the next Parliament, find a majority which would vote for the protection of those interests. He would adopt the same position as he did with regard to the motion, if a proposition were made to protect the coal interest alone. He maintained that this would be unfair. Let all these articles be included in a general tariff; let the tariff be readjusted; and let them see that all the different interests of the Dominion were taken into consideration. Let them look to the interests not only of British Columbia, or Prince Edward Island, or Quebec, or New Brunswick, or Nova Scotia, or Manitoba, or Ontario, but to the broad interests of the whole Dominion. They should not be selfish, but, as statesmen, vote for the general interests of the country. They should forget that they belonged to any particular Province, and merely regard the broad interests of the whole country, and what was for the general good. They should not labour in the interests of any particular Province. He would not defend his hon. friend from Terrebonne (Mr. Masson) from the aspersions and the remarks made by the hon. Minister of Inland Revenue, because the hon. gentleman had defended himself, and shown by the

speech which he (Mr. Masson) delivered last year in English, that he had then expressed his views, in which he (Mr. Langevin) concurred. For his part, when this speech was made, he had not risen to speak on the subject, because he would merely have repeated the same sentiments—that was to say, that they could not advocate the levying of a tax on two or three articles, unless this tax was included in a general measure of Protection with other articles, and the readjustment of the tariff. They did not know what would be done. It would be for the Government, which brought down a measure of the kind, to say whether flour, or wheat, or coal, or any other article should be taxed, and to what extent, and what guarantees and compensation should, on the other hand, be required. But they were now asked to vote for a duty on wheat and flour, without reference to the general tariff question, solely because they might benefit a certain number of people in Ontario. He did not vote for this motion, and he hoped that a majority would oppose it. The hon. the Minister of Inland Revenue and other hon. members on the Ministerial side sought, because they were on the eve of a general election, to impress the people of the Province of Quebec with the idea that the Conservatives desired to tax wheat and flour, while he (Mr. Laurier) said he did not favour such a measure. The Conservatives from this Province, however, no more desired a special tax on wheat and flour than did the hon. gentleman; and they were not so selfish as to desire the imposition of a tax that would not as well serve the interests of the other Provinces. They said: "Let us have a general measure, and not a partial measure of this kind." If the hon. gentleman were to consult one of the Liberal leaders in the Province of Quebec, the leader of the hon. gentleman's party in that Province, and the present First Minister of Quebec (Mr. Joly), he would find that this gentleman did not support the present views of this hon. gentleman. Mr. Joly, in answer to the questions put to him before the Agricultural Committee, in 1876, in respect to wheat and flour, made this comparison: "Do

you not think that the farmer would prefer to pay \$2 more for a barrel of flour, and have work and his occupation protected, than to see flour sold for \$2 or \$3 less, and have no money to pay for it?" He also asked whether the mechanic would not prefer to pay \$6 a barrel for flour, and have work and money, to seeing flour offered him at \$4 a barrel and have no money to pay for it? This was the position taken by Mr. Joly; and these hon. gentlemen, the Liberal members from the Province of Quebec, had tried on every hustings and at every church door in the Province, to get around this statement, and show that Mr. Joly meant something else; but they could not destroy that gentleman's words, which were before them. Mr. Joly meant exactly what he said, and this proved that he (Mr. Joly) was not opposed to a duty even on flour, provided that protection was given to the great industries of the Province of Quebec, thus giving work to the poor and to the mechanics, and, by this means, enabling them to live and support themselves. He repeated that, so far as they were concerned in the Province of Quebec, and so far as he was acquainted with the sentiments of the Province, they were in favour of a readjustment of the tariff, and of such protection to their industries and manufactures and agricultural interests—and, in one word, the great interests, not only of their Province, but also of the whole Dominion—as would cause to return the day of prosperity which the country enjoyed five or six or eight years ago, when they had a protection, which they did not now enjoy. If circumstances had changed, we must change with those circumstances. Our tariff was not like the laws of the Medes and Persians; we might change it any day for the protection of the people. The tariffs were not made for the purpose of favouring either a Protective or a Free-trade policy; it was not a question of theory, but one of practice, to see whether those tariffs would benefit the people or not. If this tariff did not benefit the people, and it ought to be changed, it was better that members should not adhere to their previous professions than that people should suffer starvation.

Mr. FARROW said he wished to say a word on this subject, representing as he did one of the richest agricultural districts in Canada. He would not have spoken, had not his hon. friend from South Huron (Mr. Greenway) made statements calculated to mislead the House. Although he (Mr. Farrow) came from the North Riding of Huron, and his hon. friend from the South, with only the Centre Riding between them, there seemed to be a great difference between the farmers, since they both advocated opposite principles on behalf of those whom they represented. He was quite willing to take the responsibility of voting for this motion, and he supposed his hon. friend would have to take the responsibility of voting the other way. He thought his hon. friend would be called to account for the way he had voted. All he (Mr. Farrow) knew about the county was this: that last year a very important body of agriculturists—the South Riding Agricultural Society (whose members he considered, were not all Tories)—came to a certain conclusion about this matter. And what was this conclusion? They unanimously passed a resolution that they wanted Protection. If hon. gentlemen doubted his statement, they would find the resolution in the *Exeter Times*. He was glad this motion had come from the other side of the House. It was a humiliation to those hon. members, and an answer to their oft-repeated assertion that Protection was not necessary. Its necessity was admitted by the hon. member for Oxford, the hon. member for Wentworth, and other members who had spoken. What did the hon. seconder of the motion say? He told the Government directly to their faces that, if they consented to this proposition, it would be well for them at the next elections. That seemed to imply something like a threat, and amounted to saying: "Gentlemen, if you go in the face of this motion, it will go ill with you." Notwithstanding all the braggadocia which had been indulged in by the other side as to the result in the coming struggle, it would require something more to keep up their courage. His hon. friend from South Huron

made the assertion that, to protect a certain manufacture, was to increase the price. He thought his friend had got beyond the A B C of the question, but it appeared he was still in ignorance. He (Mr. Farrow) thought the conclusion come to by everyone was, that by protecting an industry, the price was not necessarily increased. In order to make this perfectly plain and clear to the House, he would read a few statistics. All were agreed that the United States was a protected country—probably the most protected country which could be pointed to. What did his hon. friend from South Huron say to that? Did that support the argument that Protection increased the price on articles? He wished to draw attention specially to one point. At the Centennial Exhibition, as all were aware, all countries were represented; and what did the English papers say about the exhibits there? That what they were told daily about the price of articles being raised by Protection was simply claptrap; it was mere buncombe and was only calculated to deceive the simple. But he could tell hon. gentlemen opposite that farmers had their eyes open to this question. This was one of the reasons why his hon. friend the member for Kingston drew such large audiences, last year, throughout the country. Hon. gentlemen might sneer at these gatherings of from 12,000 to 13,000, but he liked to see these large political assemblages. He was not going to speak of the next election. This he would say, however, that he did not fear it, and if the hon. the Premier was not afraid, let him bring on the elections as soon as he could. If the hon. gentleman was not afraid, why did he not, like English statesmen under the same circumstances, urge on the election? He was not, however, made of such stuff. If he had not been cowardly, he would have done so long ago. His friend from South Huron thought he had got hold of something that would damage the Conservatives not a little, but he (Mr. Farrow) thought when it was read throughout the country, it would rather damage himself and his party. He thought he had got hold of some-

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thing when he spoke of the Protection in regard to coal oil. If there was any credit due for reducing the duty on coal oil, it could not be claimed by hon. gentlemen opposite, because it was not till the Finance Minister was forced to confess that his policy, in this respect, was a bungling one, that the duty was reduced. They had actually to beg of the Government to do away with the duty; so hon. gentlemen opposite could not take credit to themselves for having done anything in this respect. The duty on coal oil, worth 10c. a gallon, was 6c. If farmers and manufacturers got such protection, they would be satisfied. What was required at the present time was a readjustment of the tariff. He would ask, could hon. gentlemen consistently call themselves Free-traders when they imposed a duty of 60 per cent? Why not make a protective duty for salt? The hon. the Premier almost gave a promise that he would, this Session, look after that interest, but he had failed to make good his promise. His hon. friend from South Huron had said that if Protection meant anything, it meant to make a poor man pay more for his bread. Now, if that was the intention of the motion, he (Mr. Farrow) would vote against it. In certain works in Ottawa he found that men could be got to work for 60c. a day, in consequence of employment being scarce, but at the establishment in question they were paid a trifle more. The present Government were against the poor men of this country; from the Premier down to the humblest member, they were thoroughly against the poor man. A few days ago a deputation waited upon the Premier, and representing to him that a large number of working people were unable to obtain employment, begged him, for the sake of their wives and children, that he would send them to Manitoba. Did the hon. gentleman stir a finger to help them in their trouble? No; and yet, look at the thousands and thousands that were brought over from England, and Ireland, and Scotland, by means of the Government emigration agents. He was sorry hon. gentlemen opposite laughed at the calamities that had fallen on hard working men. It was a most

important subject; but let the country view the levity with which hon. gentlemen treated it, and they would laugh on the other side of the House very shortly. There was another point to which he would allude, in reply to a statement that had been made by the hon. member for South Huron (Mr. Greenway), if he would not be out of order in referring to a matter that had transpired at a meeting of the Immigration Committee.

Several HON. MEMBERS: Order.

MR. SPEAKER said he listened very carefully to the remarks of the hon. member for South Huron, but he did not observe that he made any allusion to the Committee referred to. He spoke of an hon. gentleman having made certain statements, and the hon. member would be in order in replying.

MR. FARROW said the hon. member for South Huron had referred to a statement made by Mr. McShane, of Montreal, a large cattle dealer, to the effect that we could not obtain fat cattle in this country without American corn. What Mr. McShane did say was, that we could not raise cattle in this country equal to the cattle raised in the South-Western States, where they were raised on those rich grazing lands. He said that the cattle fed upon this rich grass, were the best meat he could get to send to England; he did not refer to American corn. Now, a great deal had been said about who paid the duty. He had always been of opinion that we had to pay the duties on those articles we did not raise ourselves. He had a communication from an intelligent farmer at Lambton, which showed that when the farmer in Canada sold his corn or his cattle to the United States, he had to pay the duty. True, it was a remarkably good thing for the States. These thousands of dollars paid as duty on our articles, and which went chinking into their pockets, meant so much less taxes for them to pay, and so much out of the pockets of the people of this country. Of course, the United States would be satisfied with this state of things, but they on that side of the House were not satisfied; they were determined to wage war against this policy, and he believed that the whole agricul-

turists of the country would support them. Supposing a duty was placed upon the eggs sent from this country to the States; instead of 10c. a dozen, the farmer would only get nine or probably eight cents, and the same with other articles. Everything was purchased subject to a calculation of the duties. Now, what was the composition of this House? How many lawyers had we now here? We had 55 lawyers, 56 merchants, so many lumbermen, so many engineers, and so many gentlemen. There were only 15 farmers. The lawyers were far too strong in the House. As a proof of this, he would refer to the discussion of the Stamp Bill, a very small measure; but they had the Minister of Inland Revenue arguing that the Bill meant one thing, and an hon. gentleman, who was the best lawyer in Toronto, arguing that it meant another, and so it had been issued in such a crude state.

MR. DYMOND: Question.

MR. FARROW said the hon. member for North York was very sensitive, but he (Mr. Farrow) wished to say that they had two legal gentlemen arguing one against the another upon the meaning of the Bill.

MR. DYMOND said he rose to a point of order. The question before the House was in respect to a duty upon wheat.

MR. SPEAKER: As long as the hon. gentleman was speaking with reference to the general question of Protection, he was in order; but he was entirely wrong when he began to discuss the merits of the Stamp Act Amendment Bill.

MR. FARROW said, that being the case, he would make no further remarks upon that point. What he wished to draw attention to was, that every class was adequately represented in this House with the exception of the poor farmer, and every other class had Protection extended to its industry. No class had so much toil or so much needed Protection for its industries, and he should be glad to support any measure for providing it with the Protection it so well deserved.

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

### After Recess.

MR. GOUDGE said the motion introduced by the hon. member for West Hastings had demonstrated how difficult of application was this question of Protection versus Free-trade, when brought down to details. This question had been raised in the interests of farmers, but he was prepared to prove it was not in the interests of all the farmers, or, even a majority of them; and any measure calculated to benefit the farmers of the Dominion should embrace the entire number. He was happy to find, during the course of this discussion, that those who, it might be thought, would have been most benefitted by the duty proposed, had shown to the House very conclusively that they did not anticipate any benefit from it; on the contrary, they saw that it would be detrimental to their interests. The farmers of Ontario, he was happy to say, did not look at this question from a sectional point of view. They understood that it was a cry raised by interested parties for the purpose of deluding and misleading them into a belief that they would be benefitted by protective duty on their products, while the ultimate object aimed at was an increased tariff on the wares which these parties had to sell. He was naturally inclined to look at this question from a Lower Province standpoint, and how it would affect the people generally. Whether he considered the interests of their farmers, their fishermen, their shipping, their lumbermen, their miners, or their labourers, or the interests of any class in the Lower Provinces, he did not see any benefit to be derived by them from this motion. According to the census of 1871, the number of farmers in this Dominion was, at that time, 475,212. Of this number, Ontario contributed 228,708; Quebec, 160,641; New Brunswick, 40,349; Nova Scotia, 49,766; or, in the aggregate, 250,759 contributed by the Provinces outside of Ontario. Leaving aside the other classes of the community, he thought he would be able to prove that the farmers of these latter Provinces would not benefit by this tax on flour, according to the products which they raised. On referring to the Trade and Navigation

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Returns, he found that oats and potatoes were the two principal articles, in fact almost the only articles, exported by the farmers of the Provinces of Quebec, New Brunswick, Prince Edward Island and Nova Scotia. During the last year, Nova Scotia exported to the United States, 740,406 bushels of potatoes; Prince Edward Island, 1,155,191 bushels; New Brunswick, 201,268 bushels; Quebec, 654,575, and Ontario 138,456 bushels—amounting in the aggregate to 2,890,596 bushels, value, \$1,297,567. The United States was the only market available for this product, and exporters, were, therefore, obliged to use this market, although suffering under the disadvantage of having to meet a duty of 15c. per bushel. It followed thence, necessarily, that their exporters should be allowed to purchase in that market what flour and wheat they required in exchange for their produce at as low a rate as possible, and not be subject to a duty upon return. As regarded oats, Prince Edward Island exported 1,718,707 bushels, value, \$760,465; Quebec, 1,205,298 bushels, value \$465,616. The total value of potatoes and oats exported from Quebec to the Lower Province amounted to the considerable sum of two and a half million dollars; the principal part of which went to the United States. When it was remembered that these were the principal items of export of these Provinces, and that the United States was the chief market to which they were exported, this House and the country would admit that the objection of these Provinces to a duty being put on flour, thereby increasing its price, was entitled to some consideration. Nova Scotia imported from the United States about 120,000 barrels of flour, which averaged one-fourth of the entire quantity consumed in that Province. In view of this fact, he thought the House would hesitate before passing the measure proposed by the hon. member for West Hastings. The Province of New Brunswick, which was in more immediate proximity to the United States than Nova Scotia, purchased from the Americans only about 60,000 barrels of flour; they had greater facilities for getting their flour

from Canada, and did less trade with the United States than the people of Nova Scotia. In the county of Hants, which he had the honour to represent, they shipped large quantities of plaster to the American market, and their vessels, returning, for cargo brought flour as the market required. It was the principal return freight, they carried it at a very low rate; and, if a duty were placed on this article, their vessels would, in almost every case, have to return in ballast. Among the exports of Nova Scotia were also some 22,000 cords of wood, which were freighted in a class of vessels solely engaged in this trade. To compel these vessels to return home empty, and to compel the people to purchase their flour in Halifax at a higher price than they could bring it home in their own vessels from the States, would be very detrimental to their interests. When they entered Confederation, one of the arguments used by those opposed to it was that the duties would be very largely increased, and the Lower Provinces had been brought into Confederation very much against their will. When the matter was brought before the people at the polls, there was but one member returned from Nova Scotia who advocated it, and though they had remained in Confederation, it was very much against their wishes. They saw no benefit to be derived, commercially, from the connection, and though, nevertheless, they had loyally assisted in bearing their share of the burthens of this Dominion, they certainly objected to the duties being increased, and, particularly, when they were to benefit only a section. The duties at the period when Confederation was formed, were ten per cent.; afterwards these duties were increased to fifteen per cent. At the inception of Confederation, they had been assured the duties would not be increased; yet, a decade had hardly passed, ere they saw efforts made, he regretted to say, supported by those who were the leading spirits in framing Confederation, and who had pledged their faith that the taxes would not be increased, to increase the burthens which the people of the Lower Provinces had been called upon to bear. To show that the Lower

Provinces bore their share of taxation, and more particularly the Province of Nova Scotia, he would state that their imports, when they entered Confederation, were upwards of \$11,000,000. To-day, according to the trade and navigation returns, they were under \$9,000,000. Was it in the nature of things that they consumed less goods than in 1867? He was glad to know the contrary. In the matter of shipping, their business had increased; the exact figures he was unable, at that moment, to give, but he knew that since 1867 it had increased by rapid strides, and to-day they owned a fleet of ships from that Province which had very much increased in tonnage and value. He was aware, also, that in other respects, in the matter of fisheries and general business, the Province of Nova Scotia had not fallen behind—and if any progress had been made by this Dominion, it had, as a whole, also been shared in by that Province which he had the honour to represent. If, to-day, they had been outside this Confederacy, their imports, instead of being nine millions, would have amounted to thirteen or fifteen millions. The goods which represented the difference in value, must have been bought by their people from the Upper Provinces. Those goods, he believed, were bought in the Provinces of Ontario and Quebec, and the people of the Maritime Provinces had, therefore, become customers to the Upper Provinces to that extent, and would have to bear the burthen of the increase of taxation from 10 to 17½ per cent., which would be a very material contribution to the revenue of the Dominion, and also to the markets of the people of the Upper Provinces. In whatever aspect the question was viewed, the people of the Lower Provinces, and certainly those of Nova Scotia, had contributed their quota to the public revenue for defraying expenses of Government and for carrying forward the public works. If the fishermen and other classes should be called upon to pay a duty on flour, they would be twice contributing. The products the people of the Lower Provinces had to send to the United States were those upon which they had to pay duty; on oats, 10 per cent.; on potatoes, 15 per cent.; and if they

were obliged to bring home their vessels empty, and purchase their flour from the Upper Provinces, and pay 50c. per barrel on it, it would very materially injure their people without being a benefit to Ontario. The hon. member for North Ontario had stated that it was immaterial whether the duty was 10c. or 50c. per barrel; that the difference between the price of flour of the United States and Canada was such that a duty of 10c. per barrel would prevent American flour coming into this country; and it was immaterial what duty was levied, because the consumer would not have to pay the difference. That was an argument he (Mr. Goudge) could not understand. He observed from the Trade Returns of 1876-7, that there was a difference of 276,000 barrels between the imports and exports of flour; the imports being 549,065, and the exports 276,439 barrels, showing there was a lack to that extent of flour to supply the wants of their people. If a duty of 10 per cent. had been placed upon flour coming from the United States, he failed to see their people would not have to pay it. It certainly would be added to the price of the article to the extent of the duty paid. If the supply of the Dominion was short, they must obtain a supply from the United States, and, if a duty were imposed, the cost of the article would be increased and the people would pay it. If, on the contrary, they had a surplus of flour and were sending it to Great Britain, which was the standard market of values, and regulated the price of flour on this continent, and 50c. per barrel duty was imposed on American flour, while it might not make any difference to the people of Ontario, it would materially affect the people of the Lower Provinces, who were often obliged, from their trade relations, to get to the United States to purchase flour. It was really more to the interests of some of our people to pay 50c. per bushel additional for flour at United States ports, and to bring it home in their vessels than to go to Halifax and elsewhere to purchase Canadian flour. The hon. member for North Ontario had always maintained it was desirable that Canada should be

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a market for Canadian flour, and that people should be compelled to use only that article. On examining the Trade and Navigation Returns, and referring to the wheat imported from the United States and to that exported by Canada to the United Kingdom, he found that the wheat imported was valued at \$1.05½ per bushel, while that exported was placed at \$1.15½, showing that our wheat was more valuable and commanded higher prices in the English market; and if our people were desirous of using American flour, and content to purchase American wheat, which could be obtained at lower prices, he could not understand why any duty should be imposed upon it, and why our people should be prohibited from conducting a profitable trade, to say nothing of the employment afforded to shipping and labour. The average value of flour exported from Canada was placed at \$5.50 per barrel, while that imported from the United States was worth only \$5.38, showing a difference of 12c. per barrel, and to that extent we were benefitted. The object, no doubt, of the proposal to tax flour, and of the efforts which had been put forth to lead the farmers to believe that an impost on American wheat and flour would be a benefit to them, was to enable those parties who were interested in manufactures to increase the prices to a corresponding extent. It had been shown conclusively that the farmers would not, to any degree, be benefitted by the adoption of the imposition of a duty on flour, as was proposed by the motion before the House. It would be used as an argument by those who were asking increased Protection for their wares, and, no doubt, would have the effect of very largely increasing their prices and profits. The question of manufactures in this country was a very important one, and was viewed in different lights; some advocating a policy of Protection and others a policy in a different direction. His own view was, that our manufactures could only be successful in proportion as the goods were cheaply made. If we expected to be successful in manufacturing, we must look outside the Dominion for a market; and if we entered the



markets of the world and competed with the manufacturers of Great Britain and the United States, we could only hope to be successful by making our goods at low prices. At present he believed our manufactures were overdone, that the depression under which we were still suffering was the result of over-production, and that our manufactories were to-day more than sufficient to furnish goods to supply our own market. It was apparent that our manufacturers could only be successful by producing goods at a cheap rate, and they should only do that by enabling operatives and others to live cheaply, and admitting raw material at a nominal rate of duty. He, therefore, opposed the motion, first, because it was sectional, because, even in the interests of the class which it was supposed to benefit, it would only reach a portion of them, not even one-half; and, second, because it would not assist the farmers in any degree. While that had been shown, it had been also clearly demonstrated that the adoption of such a policy would injure every other interest in the Dominion, and particularly the fishermen and those engaged in a seafaring life in the Province of Nova Scotia. He, therefore, intended to record his vote against the motion, and he sincerely trusted the good sense of the House would vote it down.

Mr. POPE (Queen's, P.E.I.) said it was desirable the hon. member for Hants (Mr. Goudge) should be a little more accurate in the statistics which he submitted. If the hon. member would refer to the Trade Returns, he would find that the quantity of oats shipped from Prince Edward Island to the United States represented a value of \$47,000, instead of \$1,500,000 stated by him. It would be supposed from the arguments of hon. members on the Ministerial side of the House, that the present motion emanated from the Opposition, whereas it came from the supporters of the present Free-trade Government. Two or three days valuable time had been occupied in debating a motion which it was scarcely worth discussing, for it would scarcely receive the support of twenty-five members. The representatives of farming

constituencies in Ontario would deem it to be their interests to vote for it, for it embraced what they wanted; but there was scarcely a member from any of the Maritime Provinces or from Quebec who would support it, and, therefore, its discussion was wasting the time of the House uselessly, and the Government should not have allowed the discussion to go on day after day. He had been called to account by the hon. member for King's, P.E.I., (Mr. Davies) in regard to the vote he gave on the amendment proposed by the right hon. member for Kingston, on the ground that it was not consistent with his vote last year. He maintained he was consistent in the course pursued by him last year. He opposed the proposal of the hon. the Finance Minister to impose certain additional duties, and the resolution submitted by the Opposition, which he supported, was not a Protection resolution beyond that it declared that the country was prepared to adopt a general policy with a view to obtaining reciprocity with the United States. They were all in favour of Free trade, but what they wanted was reciprocal Free-trade. The Maritime Provinces of the Dominion were prepared to adopt any course which would lead to reciprocity with the United States. The American people fully understood their own interests, and so long as they were allowed to send in freely their produce and manufactures, they had almost all the advantages we could give them. He was not satisfied that even if this country were to adopt a retaliatory policy, so far as it was in our power to do so, it would be sufficient to lead the United States to grant us reciprocity, but at all events it was the only possible means we had of obtaining it. He further would say that, although they might not obtain it now with what they had to offer, still, when the Washington Treaty lapsed, he had no doubt that the people of the United States would reciprocate with us, and, in the meantime, he supposed, the five and a-half millions would be paid; and they might have to adopt a policy with the view of making the American people feel it was to their interest to reciprocate with us. He hoped that

the five and a-half millions would be paid, and that the Maritime Provinces would receive a fair share of it as partial compensation for what they might have to pay to secure reciprocity. He was not a Protectionist. He was a Free-trader, but he wanted to obtain reciprocal Free-trade, which would more promote the interests of the people of Prince Edward Island, than anything else that possibly could be done. He stated last year that he opposed the imposition of additional duties because the Free-trade policy of this Government, as it seemed to him, appeared to lie in the direction of levying objectionable duties from year to year, and of increasing the tariff. Call it Protection, or Free-trade, or what they chose, he believed there was no necessity, with proper economy and management, for increasing the duties at all. The present revenue was sufficient, and they should so govern the expenditure as to keep it properly within our income. The duties that had been put on were very objectionable. Supporters of the Government now proposed a duty on wheat and flour. Why was this done? Did the Government think it was going to make political capital out of this proposition, with regard to its opponents in the House. If it did, he thought that it would be vastly mistaken. The conduct of the Government in this respect was as consistent as its conduct in other matters. While the Government introduced a Bill with the view of prohibiting the use of intoxicating liquors throughout the country, as far as it was in its power to do, it was allowing corn to come in free from the United States to be used especially for the manufacture of spirits. Again, in answer to a question the other day, the leader of the Government, or the hon. the Minister of Finance had announced that the Government had authorized the Wine Growers' Association to manufacture 80,000 gallons of brandy provided they also manufactured 240,000 gallons of wine, which was to be free of Excise duty, thus encouraging the manufacture of alcohol, for it was nothing else, to poison and perhaps to demoralize the people to a very great extent, and to confer protection on this associa-

tion. Was this Free-trade? If it was, he was no supporter of it, and he could only repeat that he believed the action of the Government in this particular was thoroughly inconsistent. While calling themselves Free-traders, the members of the Government were creating monopolies to make alcohol, and this association was not allowed to make brandy unless it manufactured three times the quantity of wine. He thought that this quantity of brandy would be necessary for use, after the drinking of this quantity of wine, in order to equalize the results. This discussion, in his opinion, had been altogether unnecessary and uncalled for. The whole subject had been fully discussed. This motion had been brought forward by Government supporters, and simply, he supposed, to ascertain the feeling and sense of the House regarding it, in the hope that it might injure some members of the Opposition. They wanted no duty such as that proposed. This would be the most objectionable duty, so far as they were concerned, that could be imposed. The people of Prince Edward Island were not prepared to accept a duty on these articles, but they were prepared to adopt a general system with a view of bringing about a reciprocity treaty, and this could never be secured unless they made the Americans feel that it would be their interest to so reciprocate. It would then be secured and not before.

MR. GOUDGE said he had stated in his remarks that Prince Edward Island had exported 1,55,191 bushels of potatoes. By reference to the trade returns, he found that these figures were perfectly correct. He also had said that this Island exported 1,718,707 bushels of oats. If he had said that these oats were exported to the United States, such was not his intention. They included the entire export to Great Britain, Newfoundland, the United States and other places. He had only intended to say, with reference to exports to the United States, that 155,191 bushels of potatoes were shipped there; and this statement was borne out by the facts.

MR. POULIOT said that, in view of the discussion which had taken place upon the motion submitted to the House, as well as upon all the other questions which had been brought before the House, he saw that each hon. member sought to look after his own interests. He found no fault with this disposition, and he did not blame hon. gentlemen for doing so; but as he also had constituents, who counted on him to protect them and work in their interests, hon members would not be offended, he hoped, if he spoke and voted in the sense he proposed, after what he had seen. Several of the hon. gentlemen opposite who had participated in the debate were, he believed, in the same position as himself; that was to say, that, if this motion were carried, it would serve their personal interests, as it would serve his own, as well as those of a small number of his constituents, for he followed farming a little, and he could, with a few of his constituents and of the farmers of the Province of Quebec,—above all during the present year, when Providence had avoured them so particularly—with the surplus of wheat that they had, assist those who had none, viz., their neighbours in the Maritime Provinces. But, if this were in the interests of himself and of a small number of his constituents, it would certainly be contrary to the interests of the greater number even of the farmers in his Province, who were obliged to buy their wheat and flour, for this motion would impose upon them a tax; consequently, he could not support it. But, if the motion of his hon friend from Iberville (Mr. Béchard) was proposed, he would assuredly support it; for, although the greater number of the inhabitants of Quebec, even including the farmers, bought their wheat and flour, they always had a considerable surplus of oats and rye, which they could not dispose of at such reasonable rates as would enable them to pay the cost of cultivation, and this was due to the importation of Indian corn, which was obtainable at such a low price that the merchants in the Dominion purchased a great deal of it. This fact, combined with the unfortunate system of credit, which was so extensive and ruinous to the Province

of Quebec, where corn was sold to any one who wanted it, although often at a dearer rate than was necessary to obtain the rye and the oats which the farmers raised, caused the latter to be thus left with their produce on their hands, and they either could not sell it or else they were obliged to sell it to these same dealers for a nominal price. The hon. member for Centre Wellington, who, he believed, was chosen among the hon. members opposite to conduct the battle and fire the big guns, had included this matter in the famous National Policy, this old and superannuated *ragout* of the hon. member for Kingston. As the hon. gentleman (Mr. Orton) was a doctor, he should know that the best *ragouts* were always very indigestible; and hence, how could the hon. gentleman hope that the old *sour ragout* which he offered the House could be accepted; and, from what he could see, there were even many of the hon. gentleman's friends who did not even taste it. As for himself, he could not accept the motion then before the House, and, consequently, he would vote against it.

MR. ROCHESTER said that it had not been his intention to say anything on this subject this Session, as he had spoken a great deal respecting it last Session; but, as the debate on the motion before the House had taken a very wide range, and as hon. gentlemen on both sides had entered into the question very fully, he would not be discharging his duties properly to his constituents if he did not say a few words upon it, having the honour to represent one of the best farming constituencies in Canada. The hon. the mover of the motion ought to have gone a little further, and included coarse grains with wheat and flour; but half a loaf was better than no bread, and, consequently, he had decided to support the motion, because he thought that it was a move in the right direction. Hon. gentlemen opposite appeared to have taken a great deal of trouble and spared no pains in getting up all the statistics possible to prove that their course was right and that the course of the Opposition was wrong. He did not think that members of the

Opposition had taken so much trouble in this respect. For his part, he had not looked up any statistics in this regard, and, as the matter had been so thoroughly discussed, he merely intended to refer to one or two matters that he thought had been overlooked. The hon. member for South Wentworth had stated that he could purchase American corn in Hamilton at 50c. a bushel, and that if a duty of 5c. a bushel were levied, this would raise the price of corn in this country to 55c. a bushel. This was the strangest theory he had ever heard advanced—that if they flooded a country with any material, this would increase the price. He did not think that any commercial man in the House or country would endorse any such statement. The hon. gentleman said that the farmers in the West could make a profitable operation by selling their barley and buying Indian corn, as they could sell the former for more than the latter would cost; while the corn was a great deal better than barley for cattle-feeding purposes. He was not prepared to contradict this statement. He would not say that corn was not better for such food than barley, but, was it not absurd to pretend that because a few farmers in Western Ontario could be so accommodated, the balance of the Dominion should suffer for that accommodation? American corn should be admitted free of duty, while 15c. a bushel was charged on all the barley which we sent across the line? Was the whole country to suffer for the benefit of a few farmers? He thought that his hon. friend was certainly very far astray in making use of an argument of this kind. He believed that corn was a great article of exchange between the United States and Canada; this must be the case, from the simple fact, as the hon. member for North Wentworth had stated, if he remembered aright, that we exported about 6,000,000 pounds of malt. He was not prepared to say that these figures were correct, but the quantity mentioned appeared to him to be large. If this were so, it only showed that a good deal of malt and barley was exported from Canada. Here came in another question regarding the point: whether the consumers

paid the duty or not? He believed that in some instances they did, while, on the other hand, in other cases, the producers paid the duty. This matter was illustrated by the right hon. member for Kingston, with reference to two farms situated side by side. He thought that no one could contradict this. There was no way he knew of to make a farmer or any other person, whether manufacturer, mechanic, or whatever he might be, understand a question better than by touching his pocket; and no man could take 85c. for a dollar but he would know the difference. If he was not mistaken, the duty on barley exported from the United States was 15c. a bushel. The hon. the Finance Minister brought in a Bill to change the duty on malt from 2½c. to 2c. per pound, and that the duty should be collected by the Inland Revenue instead of the Customs Department. Every year we were importing into Canada from \$3,000,000 to \$4,000,000 worth of Indian corn, and for what purpose? Simply to make Canada the consumer of the United States productions. While we sent barley and malt out of Canada, on which the Americans charged a duty, we are actually importing Indian corn from the United States free of duty, to take the place of the barley our farmers grow. The Americans charged 15c. a bushel on barley sent across the lines. It would be seen, therefore, that the consumption of barley in the Dominion did not affect the price; the price was fixed on the other side of the lines. If matters stood in the same position as they did from ten to twenty years ago, when our distillers were supplied with coarse grain grown in our own country, we would save between \$3,000,000 and \$4,000,000 every year. Last Session, several hon. gentlemen expressed themselves as being favourable to Protection, but the hon. member for Grenville, if he was not mistaken, said it was wrong that a duty on corn should be levied, from the fact that, by putting a duty on corn, the starch manufacturer in his constituency might be affected by that duty, and hence the policy proposed contradicted itself. He (Mr. Rochester) was of opinion that a fair duty should be put on Indian corn, as it takes the place of the coarse

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grains raised in this country, thereby robbing our agriculturists of their home market, and necessitating the exportation of our grains to foreign countries. And this was plainly shown by the fact that there was only one bushel of rye grown in the Dominion of Canada where there were a thousand fifteen years ago, for the simple reason that farmers could never get any market for it in this country. He predicted that a few years ago, when there were about 77 distillers in the country. The hon. member for Grenville stated that he had written to certain gentlemen who carried on that business, and had received replies from one at Prescott and another at Toronto, saying that they could not make anything if a duty was placed on corn. If such was the case, it was certainly very strange that they should become so wealthy. The hon. gentleman said: "It is true they feed a great many cattle, and make money out of them." He (Mr. Rochester) considered that it was out of the business of a distiller to feed cattle from the produce of his distillery. A large portion of this country was suitable for the production of coarse grains, rather than wheat; in fact, from the one end of Ontario to the other, our granaries were full of coarse grain. When it was very wrongly, as he thought, proposed last year, to put an additional duty of 36c. per bushel on barley, he pointed out that it would greatly injure the brewers and farmers of this country. What he had predicted was fulfilled, for many brewers had done nothing since. The Government robbed the brewers of 36c. on every bushel of barley they used, and the brewers robbed the farmers out of the same amount. This was very evident from the fact that the highest price obtained for barley, during the present year, was 50c., while, as everyone knew, it used to bring from 80c. to \$1.05 or \$1.10. The decrease in the consumption of ales, and the increase in the consumption of whiskey, amounted to something like \$150,000 in one year. Now, that could not be beneficial to the country. In the United States a different condition of things existed; there was nearly 100 per cent. difference between

the amount paid for protection by the American and the Canadian brewer.

**MR. MILLS:** Might I ask the hon. gentleman what he would consider a fair tax on corn?

**MR. ROCHESTER:** If he were a Minister, he would be able to say. It was my business to point out where they were wrong; that was quite enough. He did not think there was a country in the world where the duty on beer was so high as in the Dominion of Canada. In England, if he was correctly informed, the duty was something like 60c. or 61c. a bushel of 40lb.; in Germany it was 29c. or 30c.; in Scotland 53c., and in Ireland 50c. He spoke merely from memory, but he believed he was not mistaken as to figures. One great difference between the system in the United States and that followed here, was this: when a brewer in the United States made a certain quantity of beer, he put it in his vaults till he required to sell it; and when he sent it out he put a Government stamp upon it. Now, in Canada the case was very different; for just so soon as a kiln of malt was made, the duty had to be paid forthwith. Again, the difference in favour of the American brewer over the Canadian was this: he might have 1,000 or 2,000 gallons of sour beer in vaults, on which he would pay no duty, while the Canadian brewer would have previously paid the duty on the malt, before its manufacture into beer. This showed the disadvantages under which the Canadian brewer labours, for he not only loses all the sour beer he may happen to have on hand, but the duty as well. Now, as everyone was aware, the changing seasons in this country was apt to spoil beer or ale, and by paying the duty on malt liquors thus destroyed, a brewer was likely to suffer great loss. He did not intend to say much more on the subject. He admitted that his remarks had taken a rather wide range as far as flour and wheat were concerned, and he would not have trespassed so much on the time of the House had he not noticed that from the commencement of this debate, a *carte blanche* was given to every member to take whatever line suited him. What he had just referred

to was, he believed, a matter of vital importance to the whole country—more especially to the farming community, because they had been robbed by the course the Government had pursued with regard to the Inland Revenue taxes. He strongly urged, last Session, that the increased taxation should not be imposed, and he might inform the Finance Minister that it would be found from the returns that the revenue received under the tariff of 72c. a bushel did not exceed what had been obtained when the rate was only 36c. He had not seen the returns for the last six months; he based his remarks on the returns of the previous six months. Surely no candid man could say that that change was a beneficial one. He had himself bought hundreds of bushels of barley to feed his horses at from 42c. to 43c. a bushel. He represented an agricultural district, and felt he should be wanting in the discharge of his duty towards his constituents if he did not express their views upon this matter. In the first place, he might say that the large quantity of Indian corn brought into competition with the products of Canada was simply robbing the farmer of a home market for what he had to dispose of, and those mammoth distilleries were kept up by bringing in this Indian corn free of duty. If the hon. the Finance Minister had only been advised, and when levying an additional 36c. on malt, had placed 5c. or 10c. per bushel on corn, he would have been doing something like justice to the agriculturists of our country. But the hon. gentleman could not see this. He (Mr. Rochester) did not believe that this 72c. per bushel on malt had produced more revenue than when the duty stood at 36c.; at any rate, he had not received the amount of money he intended to realize by the imposition of this extra duty. Canada had supplied all her own wants until this American corn was brought in, and it was very hard indeed that hon. gentlemen would try to make people believe it was actually necessary that Canada should pay the duty on her exports, while anything that was brought into the country should pay no duty. If

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the Americans had a duty on corn, oats, cattle, horses, and everything of that kind, and found it good for the United States, certainly it should be good for Canada. He could not see how the difference arose. He had been told by, perhaps, one of the most prominent men in the city of New York that, so long as Canada continued to follow the course she did, so long would the United States keep up her duties; but so soon as Canada changed her policy and assimilated it to that of the United States, would the American tariff be changed. The hon. member for North Oxford seemed afraid that by altering our tariff we might offend our neighbours. He was not one of those who thought we were living under the protection of the people or Government at Washington. He thought we were able to protect ourselves, and that we should also try to protect the manufacturers and agriculturists of this country. The hon. gentlemen opposite had spent any amount of trouble and time in their endeavours to get all the statistics they possibly could to bolster up their miserable platform, and in order to prove that the farming interests of this country needed no protection; but hon. gentlemen would find, at the next election, that farmers thoroughly understood their tactics and knew what was best for their own interests as well as other classes.

MR. SINCLAIR said the motion before the House was of such an important character that he could not let it pass without making a few remarks upon it. If he understood it aright the national policy brought down by the leader of the Opposition (Sir John A. Macdonald) was that a retaliatory duty should be levied on all articles from the United States for hastening a reciprocity of trade. If such was the case, the two articles before them, wheat and flour, would have to be taxed 20c. per bushel on wheat and from \$1 to \$1.20 per barrel on flour, if this policy was attempted. He believed that he could show it would be the most injurious policy that could be carried out for the Eastern Provinces, and also that even Ontario would not be benefited by it. Let them

look at last year's returns. Last year we had over three million dollars' worth of breadstuffs imported more than we exported, and the greater amount of that was for the Maritime Provinces. If we had had that policy at the time, and had a duty of 20c. on wheat and from a \$1 to \$1.20 per barrel on flour, that would certainly be against the Eastern Provinces, and what benefit would it be to Ontario? Ontario had not the flour or wheat to supply them, and consequently, could reap no benefit from it. The Opposition said they supported the resolution because they wished to get a retaliatory policy, in order to bringing the United States to her bearings, when they would impose a discriminating duty. He believed that a discriminating duty against the United States would not be granted. If a retaliatory policy was attempted, it must be a general one against all countries alike. The result would be that all manufactured articles imported would be subject to an enormous duty, ranging from 33 to 50 per cent., and this would make Canada a hard country to live in.

SIR JOHN A. MACDONALD: The hon. gentleman never heard me agree to that.

MR. SINCLAIR said it was mentioned in the discussion upon the subject, and was not dissented from. They were to have 20c. levied on wheat, and everything else in proportion. This was what they called a national policy, but what he considered the most destructive and injurious policy a new country could engage in, making the necessaries of life dear to the working classes; and, consequently, he would vote against it.

MR. McCRAVEY said if it were shown that the proposed duty on wheat and flour would at all benefit the farmer, he would vote for the motion, but he did not think that it had been shown. He was opposed to any further protection than that afforded by a revenue tariff; but he was not a Free-trader. He was in favour of such incidental Protection as would provide a sufficient revenue, and, at the same time, moderately foster the various industries of the country, which Protection we had now; and he believed it

was the best system this country could adopt. He contended that the controversy was not between Free-trade and Protection, but between a revenue tariff and prohibition, which, carried to its legitimate results, meant direct taxation. Situated as we were, commercially, it was not possible to carry out Free-trade in this country. Many were misled by this word Protection; it was a misnomer applied to the tariff in this sense. It meant increased taxation, the luxury of paying \$120 for every \$100 worth of goods coming into this country. By the present tariff, 17½ per cent., and 2½ per cent. freight and commission, say, ten per cent. profit for the wholesale man, and 20 per cent., probably, for the retail man, made about 50 per cent. for the consumer to pay. Surely this ought to satisfy the most rabid Protectionist, and it became a heavy tax on the consumer, and the reasonable producer should not exact any more. The hon. member for South Victoria (Mr. McQuade) had said that we lost \$1,958,000 on wheat we imported from the United States, and a very large amount on what we exported there. In other words, that we lost both ways. This was strange logic, which could not be proved. If we paid the duty on our exports to the United States, he would like to know what difference it made to them what duty the United States charged on their exports to Canada. It surely could not make any difference. And then, how could they lose thirty million dollars annually, as had been stated by the hon. member for Centre Wellington (Mr. Orton)? If the Canadian people paid the duty on their own exports, how could they pay the duty on what the Americans exported into Canada, if Canada paid the duty on what they exported to the United States. It seemed to him to be a most absurd doctrine. Again, the hon. member for North Huron (Mr. Farrow) had spoken in the same strain. He understood the hon. member to say that the United States paid the duty on what they exported to Canada. If that were true, he did not see why we should encourage manufacturing at all in this country. Why not close up the manufactories at once, and import everything we require,

thus increasing the revenue very largely, so that the Government would soon have plenty of money in the Treasury for all the public expenditures. But it was clear to him, and to every observer who thought this matter over candidly, that the consumer paid the duty. If the consumer did not pay the duty, and the duty did not increase prices, why did those hon. members in Opposition cry "Protect home manufactures." If the consumer did not pay the duty, why did the United States fight Great Britain and declare their independence because Great Britain attempted to tax their tea? Were they mistaken, and did the Chinese pay the duty? It was not possible for the United States to tax us in any way, and it was not possible for us to tax the United States, nor was it possible for one nation to tax another in time of peace. If it were possible, it would create endless wars among nations and we would be taxed to death by the United States. The *Canadian Granger*, the exponent of the farmers of this country, stated that the price for our produce was regulated by the countries which consumed it. In 1866, Canada exported 16,168,719 bushels of grain more than it imported; and in 1877, an exceptionally bad year, the surplus of exports amounted to 4,512,231 bushels. As long as they exported more of these various kinds of grain than they imported, more than was required for the necessities of the country, he could not see how Protection would assist the farmer in the least. The barley question had been referred to by the hon. member for North Wentworth (Mr. Rymal), and had been so ably discussed that he did not think any more could be said on it. He had proposed referring to some ideas in reference to that question, but it had been fully cleared up by the hon. member for North Wentworth, whose arguments were unanswerable. The hon. member for Peel had also given utterance to some of the facts which he had intended expressing relative to the values of the various kinds of grain. He had shown the House that at present, in Toronto, 100lb. of corn were worth 83c.; 100lb. of oats \$1.05, a difference of 22c.; 100lb. peas were worth \$1.15, a

difference of 32c.; and that 100lb. barley were worth \$1.20, a difference of 37c. as compared with corn. This was a significant argument, and none would deny that 100lb. of corn were worth at least as much for feeding purposes as the other grains mentioned, unless perhaps, peas. He might say with regard to this that his own observations had led him to the conclusion that corn was about equal to any other grain for feed. He knew it from his own experience of many years, and in the experience of those around him in the community in which he lived, where for a number of years they had sold their barley, peas and oats to buy corn. He had known farmers sell their barley at from 96c. to \$1 per bushel, and buy corn by the car load from 50c. to 55c. per bushel, thereby saving 40c. to 45c. cents per bushel on the transaction; and who was hurt by this? Surely not the farmer. As he had before remarked, it had never been proved that a country which produced more than it could consume would be benefitted by a protective duty placed on those products. He found by the Trade Returns of 1877, that this country imported 8,260,077 bushels of corn, for which it paid \$4,259,496 or 51c. per bushel, and it exported 4,083,174 bushels, for which it received \$2,583,173 or 64c. per bushel, leaving 4,176,895 bushels, at a cost of 40c. per bushel. The profit on the export was 13c., or \$530,812, this sum going to the importers and the carrying trade. They had imported 1,697,968 bushels of oats at a cost of \$610,681 or 35c. per bushel, and they had exported 3,996,156 bushels, for which they received \$1,658,079 or 41½c. per bushel, leaving 2,298,188 bushels surplus that we would have exported, had we imported no oats, so that there could be no loss to the farmer in this transaction, but a profit to the importer and carrying trade. They exported barley to the amount of 6,587,180 bushels, for which they received \$4,721,455, or equal to 72c. per bushel. Had they not imported corn, they would have had to feed their stock at a difference between the price of corn and barley of 21c. per bushel. They exported peas to the amount of 1,753,439 bushels, but

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imported none, and realized thereby \$1,509,214 or equal to 85c. per bushel, leaving a difference between the corn they imported and the peas they exported, of 34½c. per bushel. He did not see why the Government should step in and prevent them from making this advantageous exchange. The same might be said of wheat and flour. In 1876 we imported 5,838,156 bushels, at a cost of \$6,070,174, or \$1.04 per bushel, and we exported 9,248,390 bushels, receiving therefor \$10,416,636, or \$1.07 per bushel. Of flour of wheat we imported 376,114 barrels at a cost of \$1,906,298, and exported 419,936 barrels, for which we received \$2,205,467; showing in this case of wheat and flour a large amount of export over import. And if the import had exceeded the export, would it be fair in these depressed times to increase the price of bread to the consumers by putting on an import duty? It was extraordinary that in these times of depression, when it was difficult for the poor man to get along, that men should be found advocating, as the cure, the putting on of more taxes by increasing the price of food and fuel to the consumer. Reference had been made by nearly every hon. gentleman opposite to the United States. They hold them up as an example of what a protective policy had done there, but the less they said about that the better. With the permission of the House he would read a short article from the *St. Louis Republican*:

"It is well-known that manufacturers have multiplied enormously in the United States during the last fifteen years, and the reason of it is plain. The census report of 1870 told part of the story, and the profound stagnation we have had since 1873 told the rest. The advent of the Republican party brought the New England policy of protecting home manufactures into full effect, and the result has been an overgrowth of that interest and the sacrifice of nearly all others. In 1860, the whole number of manufacturing establishments in the country was 140,423; in 1870, it had increased to 252,148, an increase of 79 per cent. In the same decade the number of hands employed in manufacturing establishments increased from 1,311,246 to 2,053,996; the capital employed, from \$1,000,856,715 to \$2,118,298,769; the annual wages paid from \$379,878,965 to \$775,584,343; the value of material used, from \$1,031,605,092 to \$2,488,427,242; and

the value of manufactured products, from \$1,885,861,676 to \$4,232,325,442. In 1870, this looked like prosperity, but viewed through the dismal pallor which the collapse of 1873 has thrown over the country, however, it is seen not to be prosperity; it is an artificially stimulated overgrowth, that has produced widespread disaster. It is an enormous development of the manufacturing interests, produced at an enormous cost. What that cost has been the census report reveals. While manufactures have multiplied, our commerce and agriculture have declined. In 1860, American ships carried three-fourths of our exports and imports; now, foreign ships carry three-fourths of these exports and imports, leaving only one-fourth to our vessels. The proud exhibit of American shipping that was our boast sixteen years ago, is a thing of the past. It has been swept away by the unwise policy which sacrificed nearly everything to manufactures and manufacturers. Agriculture has been made to contribute its share to this hypertrophy of the favoured interest. From 1860 to 1870 the cotton crop fell off 2,366,056 bales; the sugar crop, 143,936 hogsheads; the rice crop, 113,532,011 pounds; the tobacco crop, 191,474,120 pounds; the crop of clover seed, 316,531 bushels; the crop of grass seed, 316,882 bushels; the corn crop, 67,848,202 bushels; the rye crop, 4,182,595 bushels; the buckwheat crop, 7,750,097 bushels; the hemp crop, 51,747 tons; the hog crop 8,378,298 head; cheese crop, 50,171,774 pounds; and even those farm products that show an increase during the decade, fall far short of the increase they made in the preceding decade from 1850 to 1860. The decay of agriculture under the malign policy that oppressed it to secure to eastern manufacturers dividends of 25 per cent. on their capital is not limited to one section of the country; it is universal. In the South, miles of plantations are waste, in New England hundreds of farms have been abandoned to grow up into forests, and, in the west, farmers find it difficult, even with the severest labour, to pay their taxes and support their families. And even manufacturing has been broken down under the influences that broke down other interests on which it depends. The high prices that protection begot multiplied manufactures beyond the capital of the country to consume them, and even the favoured interest now languished with its mills and furnaces closed, with its products unsold and with thousands of its employes out of work."

That is not the evidence of a Canadian, but a citizen of that country for which his hon. friend opposite would make him believe Protection had done so much. On that point he could agree with the hon. member for Centre Wellington, that it was a grievance and hardship to our exporters and importers of produce, and especially to

our millers, to think that grain and flour was carried from Chicago and Detroit to Montreal for a trifle more than from Hamilton and Toronto to Montreal; and especially were the local rates unfair. He had talked to several intelligent millers of late, and all admit if it were not for the discriminating rates of the railroads, they would have little to complain of. But this was only another name for Protection; it was the legitimate offspring of monopoly, with all its attendant evils, and if anything could be done to remove this difficulty, it should be done at once; but if it cannot be removed, the Government should not be held responsible for it. He was not in favour of class legislation. There were other reasons to be considered against the imposition of a duty on grain. There were the fishing, the coal, the milling, the manufacturing, the mining, and last, though not least, the lumber interest. We had no data as to the whole production of the forests annually, for export and home consumption, but it was something enormous, and only second to the productions of the soil. He found, from 1868 to 1875, the whole production of the forests for export was \$185,265,471. The whole production of the forests of this country, he had no doubt, amounted to from thirty-five to forty million dollars annually, if not more, including home consumption; and the amount of money invested in saw mills, timber limits, plant and machinery of various kinds, was very large. It was well known that this interest was, perhaps, suffering more than any other, and had suffered for the past four or five years. He would like to know what would become of the lumbering interests if a duty were put upon agricultural products. Unless the Government would see fit to grant a bonus to lumbermen, on the manufacture of their lumber, which he would be very sorry to see the Government do, and he would consider it his duty to vote against them if they did any such insane thing, he did not think the Government could in any way legislate to benefit the lumbering interests. So long as there was more lumber manufactured than was required for home consumption, and

so long as the stagnation existed in the United States, brought on by the unwise prohibitory policy of Protection, the lumbering interests would remain in a depressed condition. As he formerly remarked, if he thought the farmers of this country required Protection, that they would be benefitted in the least by a duty on wheat and flour, he would vote for this motion. If the farmers wanted Protection, where were the thousands of petitions we might have expected from them? The hon. member for South Huron had stated that at some agricultural meeting in his constituency they had moved a resolution in favour of Protection. This was the first time he had ever heard of farmers asking for Protection. If he knew anything about the opinions of the farmers he represented, they did not desire Protection as long as there was not a general increase in the tariff all round. They were well off as compared with other occupations; they were not sick, and needed no political doctoring. Farm lands were higher than for some years, and in good demand; while in the United States, so says the *Railway Age*, all real estate had shrunk in value in the past five years 39 per cent. The cry of Protection to farmers is not because hon. gentlemen opposite felt any very deep interest in their welfare, but for another purpose; to drag the farmers in to help to secure Protection to manufacturers. And, in the squabble over it, these hon. gentlemen expect to scramble into power again. What the farmers wanted was less haranguing and talking here, and more work. They required the public expenditure to be reduced to the lowest point consistent with the requirements of the Government, and the carrying on of our public works. They wanted retrenchment exercised in all branches of the public service, and to be left alone by political demagogues to attend to their own business. When those men went round the country and endeavoured to induce the farmers to adopt certain views which they understood fully, those hon. gentlemen would find it to no purpose, for the agriculturists fully understood what they required, and were much more intelligent than those

hon. gentlemen gave them credit for. It had been said by hon. gentlemen opposite that Canada had nothing to give the United States in return for reciprocity, while some of them had expressed themselves as being opposed to reciprocity. If they would only tell the House what they do want, we might understand, but they did not appear to know themselves; for some of them are in favour of one policy and some of another, and it was difficult to find out what the Opposition desired. A reciprocity of tariffs, a retaliatory tariff, and a scientific tariff, were respectively advocated. If this country had nothing to give the United States in return for reciprocity, it was due to the fact that every advantage having been given them by the Washington Treaty capitulation of the hon. the leader of the Opposition, it did not lie in the mouths of hon. gentlemen opposite to refer to the fact. He could not support the motion of the hon. member for East Hastings, but would record his vote against it.

MR. McINTYRE said, at this, the last stage of the debate on the trade question, he did not propose attempting to throw any additional light on a question already so thoroughly debated. However, as the representative of a Free-trade constituency in a Free trade Province, he felt compelled to enter his protest against the amendment of the hon. member for East Hastings. Anything more odious to the people of Prince Edward Island than a duty on flour could not possibly be conceived. A large portion of the flour consumed in the Island came from the United States, in exchange for the products of the soil and the fisheries, a large portion of which was shipped annually to the States of the Union. Some years it was impossible to obtain good prices for their fish on the Island, or obtain cash for it, and then they shipped it to the United States and obtained flour in return. Under those circumstances, he failed to understand how they would obtain any benefit from the imposition of a duty on flour. It was thought by some parties that it would not benefit Ontario farmers, and certainly the people of the Maritime Provinces, who consumed the flour, would not be bene-

fitted. The people of Prince Edward Island, equally with those of the other Provinces of the Dominion, were not inclined to be taxed in order that a few manufacturers might be benefitted by it. His people were already sufficiently taxed, and he was not inclined to follow in the steps of a party which advocated a policy to tax them still further. They were not only opposed to any increase of duties, but held that, as soon as the finances of the country would permit, a reduction should take place on the whole list.

MR. PERRY said that, as he came from a Province that would be very seriously affected by the motion of the hon. member for West Hastings (Mr. Brown), if it were carried out, his constituents would expect that he would not give a silent vote on that important question. He had hoped that, when the resolution introduced by the right hon. member for Kingston, which embraced the farming as well as manufacturing interests, had been so ably discussed and voted down by a large majority, no sectional resolution would have been submitted to the House, in order, perhaps, to entrap some hon. member. He was prepared not to be entrapped by such a motion. He was prepared to sustain the Free-trade party of the Dominion. From the remarks of some hon. members it would be imagined that the Province of Ontario constituted the whole Dominion, and other hon. members appeared to hold the same view in regard to Quebec. The representatives of the Maritime Provinces, whose people numbered nearly one-third of the whole population of the Dominion, should protect their interests. When he looked the question of the imposition of a duty on flour fairly in the face, he saw that the effect would be ruinous to those Provinces. He failed to be able to reconcile the position taken by the hon. member for Queen's on that question. The farming question was included in the motion submitted by the right hon. member for Kingston, and yet the hon. member for Queen's voted for it. Now, a partial resolution was brought forward, asking Parliament to impose duties on wheat and flour, but

the hon. member declined to support it. If the motion proposed by the right hon. member for Kingston, which included farming as well as manufacturing interests, was good, as a whole, the present resolution must be good in the abstract. It was urged by some hon. members that what Canada required was a reciprocal or retaliatory tariff. The revenue now realized by the Dominion from importations was \$3,658,969. If the American tariff were applied to the present scale of duties, the sum would be increased to \$18,517,436, and, if the amount now paid were deducted, there would remain \$14,858,467, equal to \$3.70 per capita for the whole population. If that were applied to the poor people of Prince Edward Island, they would be called upon to pay into the revenue of the Dominion about \$370,000 more than at present, which was about equal to the whole income of the Island at the time it entered Confederation. If the Islanders were satisfied to bear such taxes, they would have to send some other person to represent their interests than himself. If they were prepared to allow themselves to be saddled with increased taxation, they were not the people he considered they were, because they were Free-traders; and he could not understand how we could drive the Americans to give us reciprocity by calling on our people to pay \$18,000,000 increased taxation. He failed also to see how Ontario farmers would be largely benefitted. We imported last year 1,967,706 bushels of oats, for which \$6,310,491 was paid, or equal to 26½c. per bushel. In one year we exported to England 2,696,703 bushels of oats, for which we received \$1,130,712, equal to 41c. per bushel. That showed that we had a market for more oats than were actually grown in the country, and that we made 15c. per bushel upon the whole transaction. If a duty were levied of 15c. per bushel on oats imported from the United States, no profit would remain, and the trade would be destroyed. We imported corn from the United States to feed our stock, at very low prices, and exported large quantities of barley to England, for which we obtained larger prices than we paid for the corn, the difference

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being equal to 24c. per bushel. If a duty of 15c. were levied, the balance would be reduced to 9c. They were constantly referred to the general trade policy of the United States, and it was alleged that the people were prosperous, although every branch of industry was protected. But there were two parties on the tariff question, and one party held very different views from those so frequently mentioned in the House. Mr. Marshall, of Illinois, delivered a speech at Washington, wherein he showed the farmer of the United States was ground down by taxation and it was almost impossible for him to live. If the American farmer could scarcely live under such a system, he was satisfied that the farmers in the Dominion would not be able to live under it. If the people of Canada were prepared to submit to such a tyrannical system of taxation as was proposed, the people of Prince Edward Island were not; and he would be surprised if one member for that Province supported the resolution before the House; at all events, he would not do so.

SIR JOHN A. MACDONALD said he did not propose to occupy the time of the House more than a very few minutes. He thought the hon. member who had introduced the motion should, by this time, have regretted that he had done so. The hon. gentleman had already defined his position; he had voted on the resolution which he (Sir John A. Macdonald) proposed, in favour of a revision of the tariff in such a way as would afford proper encouragement to all the interests of this country. The greater included the less, and the proposition now before the House was contained in the resolution which had been voted on. The hon. member for West Hastings had been used to take the chestnuts out of the fire, and his resolution was calculated to obtain the minimum of support. It called for protection for one interest, the wheat growing interest, and offered no compensation in any way to the other parts of the country which did not grow wheat or produce flour, and, therefore, the hon. gentleman, in fact, invited opposition from the Province of Quebec and the Maritime Provinces. Even if he had suggested compen-

sation to the Province of Nova Scotia, in the way of a duty on coal, thereby encouraging inter-provincial trade and the interchange of commodities, he might have hoped for support from that Province; but this simple proposition, as it was made, was certainly calculated to get the smallest amount of support possible. The resolution which he (Sir John A. Macdonald) had had the honour to propose, had received a most respectable support in the House. True, they were in a minority, but the vote was larger than it had yet been upon this subject, and it showed the growing feeling in the country in favour of the principle contained in his resolution. The hon. gentleman would find that he would get a very small vote indeed, and he had, besides, had the honour of being told, with scant parliamentary courtesy by one of the hon. gentleman on the same side of the House, that he (Mr. Brown) was a madman for having proposed this motion, and that the hon. member for the West Riding of Durham was a fool for supporting it. This was the speech of the hon. member for South Wentworth, who said that all those who supported this proposition were either madmen or fools.

MR. RYMAL: Did I apply that to you or your National Policy?

SIR JOHN A. MACDONALD: The hon. gentleman was arguing the agricultural question. He was speaking of the farmers of South Wentworth.

MR. RYMAL: That remark applied to the National Policy.

SIR JOHN A. MACDONALD said that the hon. member for West Hastings had voted for the National Policy contained in his resolution; and he (Mr. Brown) was a mad man and fool, according to the statement of the hon. member, as also of two hon. members from the Province of Quebec—Messrs. Coupal and Robillard—who both voted for his resolution. His hon. friend, by the way, in speaking of the proposition contained in the National Policy, and this resolution was a portion of the National Policy, said that it would not go down with the country, that the country was

opposed to it; that, at the meeting of the grangers, the body which was supposed to represent the agricultural interest especially, the members opposed to it were seven or eight to one; and yet, although the hon. gentleman said this policy was nonsense and bosh, to use the hon. gentleman's own expression, he implored the Opposition to take a different course, and not to attempt to delude the innocent farmers, and not to attempt to divide the Reform ranks by introducing this question. But the hon. gentleman was free to admit that those who were opposed to this policy were either madmen or fools, or both; that some of his constituents came within the category and were in favour of the policy called the National Policy, as indicated in his (Sir John A. Macdonald's) resolution. So when the hon. gentleman went home to his constituency—for his speech he (Sir John A. Macdonald) had no doubt would be reported, and all the hon. gentleman's speeches deserved to be reported—he would be met by those of his own political friends and old supporters who conscientiously happened to differ from the hon. gentleman on this great question of the National Policy, and he would find them asking him whether he included them in his category of knaves, madmen or fools. This would be the position of the hon. gentleman.

MR. RYMAL: What do you suppose I would answer?

SIR JOHN A. MACDONALD: Your answer would be, perhaps, that there might be a difference of opinion as to who was the madman. The hon. gentleman had pooh-poohed, or rather attempted to indicate the several meetings and assemblages which took place, and which he (Sir John A. Macdonald) had had the honour to attend in Western Canada, and had stated that although at Hamilton there was a large body of people, fully one-half of them at least were the opponents of his (Sir John A. Macdonald's) principles. This was true, and he (Sir John A. Macdonald) was exceedingly glad to have them there. His hon. friend had given instances of private conversations where, as he said old Tory friends of himself (Sir John A.

Macdonald) stated the National Policy was all bosh, but that they were going to vote the Tory ticket; but if it was all bosh and they did vote the Tory ticket, it was because they thought that it was the popular ticket, and that the thing was going to delude the public as the hon. gentleman said, and to take away these madmen and fools who were old political friends from the hon. gentleman. If it was not a popular cry, and if the hon. gentleman did not know that it was a popular cry, and was going to grow with the country as a popular cry he would not have denounced it with such fierceness in one breath, though the moment before the hon. gentleman had declared that it was all nonsense and that seven to one of the people were against this policy. The hon. gentleman, while sneering at those meetings and their effect, and saying that they did neither good nor harm, and such statements, described with his usual cleverness and facetiousness the efforts made to get them up. He said that the meeting at Hamilton resembled one by Barnum with band and gilded carriage and a five mile drive. It was true that they had had a very pleasant procession, and a large number of the yeomanry of the country in carriages and of the young men of the country on their horses, with the bone and sinew of Wentworth there to greet them; and all those people had looked very well. If it were a show, it was a very creditable, a very large, a very numerous and a very respectable show; but there was one thing in which Barnum excelled, that they had not—they had had no merryman there, or a single clown, or buffoon. His hon. friend (Mr. Rymal) had engagements elsewhere, and therefore, they certainly were very unlike Barnum in that respect. He would not have spoken in this way, had it not been for the very coarse and unparliamentary language used by the hon. gentleman with regard to himself. The hon. gentleman attempted to do two things, when like the famous Paganini, he should remember that his skill was on one string. As long as the hon. gentleman confined himself to jokes and jests, though some of them might be old, and some stale, and some of

them they had heard before, not once but many times. The joke about his Satanic Majesty going to the top of a high mountain for instance, was as old as Joe Miller, and a little older. They had heard it in and out of the House; but he (Sir John A. Macdonald) had always liked this story, and coming from the hon. gentleman they could stand it again; but though the hon. gentleman might play on one string, he should not attempt to play on the other string, and make the serious speeches which that evening he had attempted. As long as the hon. gentleman said his little pleasantries, provided they were not more, his friends were really all very glad to hear them; but he was afraid that the hon. gentleman sometimes overstepped the bounds of propriety and mistook rudeness and personal attacks for wit and humour. Boswell told a story of Dr. Johnson as follows. He and Dr. Johnson went to a theatre. There was a good deal of dissatisfaction with the play, and a great many noises were made. Boswell, or Bozzy, as he was generally called, imitated the cow in her lowering, and so well that the audience called out *encore, encore*, and Boswell lowed again two or three times, and in the pride of his heart, as he said, he attempted to imitate some other animals; but no cheers came then, and Dr. Johnson, turning to him, said: "My dear Boswell, confine yourself to the cow." He would say to his hon. friend from South Wentworth that, in his speeches, he should confine himself to his jokes, while, if the hon. gentleman tried serious things, neither in the House nor anywhere else would he make many converts. He greatly regretted the fact that his hon. friend (Mr. Brown) was not satisfied in supporting the resolution he (Sir John A. Macdonald) had introduced, and that he had made this proposition, because it was quite certain to get very feeble support, as its purely sectional character, and its selfish character, as his hon. friend from Charlevoix had said, had arrayed of necessity against it all the other parts of the country which were not wheat growing sections. For himself, he should do as he did with respect to the motion made by his hon. friend from Hamilton

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when he moved a resolution in amendment to his, which was a general resolution in favour of manufactures; and he had always limited it to manufactories that were going on in Hamilton. He had voted for this motion as a step in the right direction. In the same spirit, he should vote for the resolution of his hon. friend (Mr. Brown), and he would also vote for the motion of which notice had been given by his hon. friend from Iberville, because they were all portions of the National Policy. They would get this policy piece-meal, by-and-bye—by degrees. His hon. friend from Hamilton had gone a little way in the direction of manufactures, and they now had this hon. gentleman moving in favour of wheat and flour, and a great number of the hon. gentlemen, he dared say, were in favour, in this regard, of duties on corn, rye, coarse grains, potatoes, etc., and hence, by slow degrees, they would come to his policy. They were going to have it, though, if they did not, they would have the proud distinction of being put in the category of both madmen and fools by his hon. friend from South Wentworth.

MR. BUNSTER said that, while an out-and-out Protectionist, he could not support this motion as it stood, because it did not go far enough. If it covered the whole ground of Protection, he would be more than pleased to give it his hearty support. He was sorry to hear some hon. members allude to the advantage attending the importation of American corn into this country. The hon. member for South Wentworth had said that with respect to every bushel of such corn, an Excise tax of \$2.62½ was paid on the liquor manufactured from it. He would like to ask the hon. gentleman whether, if a bushel of American barley or Canadian wheat were manufactured into spirits, these would not equally pay the same amount of Excise duty. All the other arguments were of the same character. The hon. gentleman that evening had stated that there were in the House only fifteen farmers who represented the farming interests of the Dominion. This was shameful; and the sooner the farmers of the country awakened to their own

interest and sent more farmers and less professional men to Parliament the better their interests would be protected, and the sooner would they obtain that Protection which would drive this country ahead. It had been well said that the interest of the lawyer and the merchant, and of every profession, including even the coal oil refiner, were protected, while the farmer had no protection at all. If they had the National Policy in operation, the farmer would then be protected. He would reserve his vote in favour of the motion of the hon. member for Iberville (Mr. Béchard), but he would vote against this motion, as it did not go far enough.

MR. RYMAL said that, as to a bushel of Canadian or American barley making as much spirit as a bushel of corn, he had taken the statement of his hon. friend from Centre Wellington, who had the other night told them that 24lb. of corn contained as much spirits, or essence, as 36lb. of malt, and 36lb. of malt represented more than 48lb. of barley.

MR. WOOD said he did not know that he would have attempted to address the House on this question had it not been for a few remarks made during the afternoon by the hon. member for South Ontario (Mr. Gibbs). He must say that when he heard these remarks coming from that intelligent and shrewd business man they almost upset him. He thought that his experience of thirty years in business had been all lost, and that he really did not know what true business principles were. The hon. gentleman had laid down a proposition which was something new to him (Mr. Wood), and if it were correct he could only say that, in his time, he had lost a large amount of money. The hon. gentleman had fairly and squarely laid down this proposition—that the exporter, instead of the importer of goods, in all cases, paid the duty.

MR. GIBBS (South Ontario): I made no such statement.

MR. WOOD said that, if the hon. gentleman could take barley and make it quite different to any other class of goods, he was right; and if the export of barley was different to the export

of iron, or wheat, or anything else, then he (Mr. Gibbs) was right and he (Mr. Wood) was wrong. He had always been taught that the importer always paid the duty. If a merchant bought a ton of iron in Liverpool, the seller in Liverpool did not ask about the duties levied on it here; he had nothing to do with this matter, and he did not care a single farthing about it. If a merchant imported the articles into this country, he had to pay the duty on the invoice price. If it was a fact that we paid the duty levied on all the barley we exported, then, as had been already stated, did not the States pay the duties on all the goods which we imported from them? Was it a fact that only in Canada the duty on exports and also on imports, were paid by Canadians, or did the people of the United States pay the duties on the goods they exported to us, as the hon. gentleman said we did on what we exported to them? This was a fallacy from beginning to end. The hon. gentleman instanced an imaginary or, perhaps, real friend of the hon. member for Kingston who lived down in the Eastern Townships, and whom the hon. gentleman went to see during his summer peregrinations, when he was making his picnic speeches, at the time the heather was on fire and the country ablaze. This friend lived immediately on the line, having farms on both sides. Both of these farms were equally well tilled, barley sown on both and an equal crop was raised. The same showers that fell on the American side watered the barley on the Canadian side, and the same dew, he presumed, was distilled on both, and also that the same quality of grain was raised on both farms. When this friend of the hon. gentleman had stored his barley in his barns, a produce speculator came along and was shown the barley raised on the American part of the farm, and was asked how much he would give for it. "Seventy-five cents a bushel," was the reply. "All right," said the farmer, and taking the purchaser to the Canadian barley, he asked, "What will you give for this?" "Sixty cents," was the answer, showing a difference of fifteen cents between the two prices. What was the reason of this? Why

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did not the farmer get as much for his Canadian barley, of exactly the same quality, as for the American barley, both having been raised almost side by side, the one under the Union Jack and the other under the Stars and Stripes? The purchaser said he could not give seventy-five cents for the Canadian grain because he had to pay fifteen cents per bushel into the Treasury of the United States, and therefore he could only pay sixty cents for it. The farmer said that this was all wrong; he would send for the leader of the Opposition who would come down and put a duty of fifteen cents a bushel on the American barley, which would make it all right. But this would not be the case, because we were not importing any American barley. The farmer said "Why should I pay that? I do not get the same for the Canadian barley simply because a duty is imposed by the United States." He (Mr. Wood) was prepared to admit that in consequence of the American duty, the American farmer obtained seventy-five cents a bushel for his barley, but he denied *in toto* that, because of the American duty, only sixty cents a bushel was received for the Canadian barley. If the American duty of fifteen cents a bushel was taken off, would the American grain secure the same price? He said "no." It would, then, simply command exactly the same price as the Canadian barley was sold for, and for the Canadian barley not one cent less would be secured. It was a self-evident fact that the consumer must pay the duty on any article which he purchased; so the American purchaser who paid sixty cents a bushel for the Canadian barley he used, also paid the fifteen cents which was included in the price.

AN HON. MEMBER: The Americans grew five times as much as we did, but there was one class of grain which we beat them in, and that was our Canadian barley.

MR. WOOD: The hon. gentleman (Mr. Gibbs) said we will not raise the duty a single penny above what it is now; we are going to collect the same amount of duty and not increase the tariff. This showed that there was direct collision between the leader of



the Opposition and one of his followers. The hon. gentleman himself admitted that we paid the duty on the barley we imported from the United States. But the hon. gentleman who followed him instanced the case of a Canadian cattle drover going to the United States. He (Mr. Wood) would ask if that drover paid the duty out of his own pocket? No, he charged the consumer so much more in consequence of what he had to pay. For the information of hon. gentlemen he would read the following article which appeared in the *Hamilton Times*, and which expressed the views he wished to convey:—

“The wise men of Canada, who have begotten the National Policy, have contributed to economic science one startling discovery. It is that in trade between two countries it is the seller, not the consumer, who pays the duties. For this reason they are never tired telling our people that the States fifty or sixty per cent. tariff is a tax which Canadian exporters have to pay, and that we ought to retaliate by compelling the Yankees to pay an equal tax on what they export to us. Thus Sir John has repeated about a score of times the statement that our farmers have to pay the 15c. States duty on barley in order to get that article into our neighbour's market. And the *Mail* recently laid it down, with the gravity of an owl, that ‘we continue to pay toll into Uncle Sam's Treasury, towards the payment of the American war debt, so much on every bushel of grain and every thousand feet of lumber that we sell to our neighbours.’

“The unlimited National Policy asses who thus lay down the idiotic proposition that it is the seller who pays the duties levied at the Customs-house on his productions, have not even common sense enough to see that their proposition is fatal to their own policy—that of decreasing imports and increasing exports. If what they contend be true, then in the interest of the taxpayer we should increase our imports to the largest possible extent and do away with exports altogether.

“The amount that came into the Canadian Treasury from Customs duties last year was \$12,500,000. If the National Policy theory be true, this sum was paid by the unhappy foreigners who produced and sold to us the goods on which those duties were levied and collected. And it follows, as a matter of course, that the more we import the more we compel foreigners to pay into our Treasury. Therefore, if we were to cease production altogether and import everything we use, we would proportionately increase the tax levied on foreigners. By importing sufficiently, we could make them not only pay the whole cost of our Government and supply the money for the construction of our public works, but obtain from

them a handsome surplus for distribution among the Provinces of the Dominion. This sounds frightfully absurd, and is so. Yet if the new Tory theory be true, that the seller pays the duties, it also is true; and it is the foreigners from whom we buy goods who are paying our taxes, not we ourselves. In accordance with the National Policy platform, it is, then, the duty of the Government to encourage importation in every possible way, so as to make the people of the States, China and Great Britain, continue to pay the Canadian taxes.

“On the same ground, it is an act of folly for us to export goods to any foreign country that has a Customs tariff. If we pay 15c. to the States for the privilege of exporting barley, we should cease to export and—save the 15c. If we pay the States duty on our lumber, we of course should keep it at home and save the amount of the tax. If we pay the tax levied on our exports to the United States, then we should protect ourselves from the outrage by utterly refusing to export. The true National Policy (according to the Tory theory), then, is to continue to tax foreigners by buying their goods, and refuse to be taxed for the benefit of foreign countries by absolutely refusing to sell them any of our products.

“This is such absolute nonsense that a child can see the folly of it. When the States impose a tax of 15c. a bushel on barley, it is they who pay that 15c. tax. When they tax Canadian lumber, they pay the price of the lumber, plus the tax. When they tax woollen goods 50 per cent., they pay the seller's price of the goods and the 50 per cent. tax over and above that price. When they tax pig iron \$7 a ton, and still import annually from \$1,500,000 to \$2,000,000 worth of it, they pay the seller the market value of that pig iron and \$7 a ton tax on it, over and above that price. So that those Tory journals that are exhibiting the Yankee 50 or 60 per cent. tariff in comparison with our lower one, are simply proving that the States consumers are paying twice or three times as much taxes on their imported goods as the Canadian consumers are.”

At that late hour he would not take up the time of the House by making a long speech. He would not attempt to go into the question of Protection for farmers, because that had been well discussed by hon. gentlemen who had already spoken—gentlemen, who as practical farmers, knew better than lawyers, doctors and merchants, what they themselves required. These gentlemen declared, with no uncertain sound, that they did not want Protection. He (Mr. Wood) had repeatedly said there was no argument for Protection to anything but manufactures. When he first came to the House, in

1874, there was a duty of 15 per cent. for the Protection of manufactures; but in consequence of the discount on American money which existed, we were actually a Free-trade country. Since then matters had changed immensely; we had now greenbacks at par, and goods bought for \$100 at New York could be laid down at Toronto, duty and all expences paid, for \$100 in Canadian money. Now, the same articles could not be laid down in either of those places for less than \$120, showing an apparent difference of about 20 per cent., but, in consequence of the fall in the value of some classes of goods, the real difference was from 10 to 12½ per cent. better than they were in 1874. For example:—

1874.		1878.	
Goods.....	\$100 00	Goods.....	\$100 00
Discount .....	15 00	Duty, 17½ .....	17 50
	<hr/>	Freight Charge	2 50
	\$85 00		<hr/>
Duty, 15 p. c....	12 75		\$120 00
Freight Charge	2 50		
	<hr/>		
	\$100 25		
20 p. c. ....	20 05		
	<hr/>		
	\$120 30		

From his place in the House last Session, he had said that, with greenbacks at par and a 20 per cent. tariff, an industry that could not exist had better step down and out, and he was still of the same opinion. The hon. gentleman proposed a reciprocity of tariffs, not only against the United States, but against all the world beside. The average tariff of the United States was equal to a tariff of 45 per cent., and he (Mr. Wood) asked the people of this country how they would like to be taxed from 45 to 50 per cent. upon all the goods they had to import. The leader of the Opposition stated that a reciprocity of tariffs would force the United States to give a reciprocity of trade. He (Mr. Wood) was opposed to Free-trade with that country, because Canadian manufacturers could not then compete with those of the United States. The leader of the Opposition said that we would have to have a 45 per cent. tariff in order to save our industries; and, if that statement was correct, how could we compete on Free-trade principles? If they

Mr. Wood.

could not compete with the manufacturers of the United States with a 17½ per cent. tariff, besides 2½ per cent. for carriage, how could they hope to hold their own when that tariff is wiped out? If the cotton mills of Dundas, Thorold, Cornwall, Valleyfield, and Hechelaga could now only pay a dividend of 10 per cent. with a 17½ per cent. tariff in their favour, how could they stand to compete on equal footing when our present tariff was wiped out? He was prepared to admit that, in the manufacture of some articles, such as stoves and sewing machines, we might compete with the Americans under a Free-trade policy; but, on the whole, the manufacturing industries of this country would be seriously injured. Yet this was the doctrine which certain hon. gentlemen were promulgating throughout the country. The right hon. member for Kingston did not state whether he wished for reciprocity to apply to all classes of trade, but, if he wished to adopt the reciprocity of 1854, he (Mr. Wood) could understand his resolution; but he took it for granted that the hon. gentleman's motion applied alike to manufactures as well as to cereals, a proposition to which he (Mr. Wood) could not assent. We all knew the position which the hon. gentleman took in relation to this affair some years ago, when the Hon. Mr. Brown went to Washington to negotiate, not a Washington, but a Reciprocity Treaty. Some articles of manufacture were included in the draft which was published, whereupon the whole Conservative Press and party, from Prince Edward Island to Vancouver, alleged that the manufactures of this country could not stand against those of the United States. We all remember the now famous circular issued by the hon. member for Centre Toronto, in which he pointed out to the manufacturers of the Dominion their inability to compete with those of the United States; and yet these gentlemen came there to-day and declared as their national policy that which they condemned some three or four years ago. Was there any consistency in this? Then, what was their object? It was transparent to everyone, namely, that by persuading the farmer, the manufacturer and others that they would be

benefitted by Protection, they might be able to catch a few stray votes. He thought the farmer understood this question quite as well as the leader of the Opposition. All this talk about Protection on wheat, rye, barley and coal was got up for electioneering purposes. To propose a duty on coal was certainly a monstrous proposition. Coal is the basis of our manufacturing industries, and to put a tax of \$1 per ton on coal would take out of the pockets of the people of Hamilton, alone, \$60,000 per annum. Last year, when the subject was under discussion, he telegraphed to some of his friends in Hamilton and asked, "How much are you willing to pay on coal?" He received in reply several telegrams and letters, which, with one exception, protested against any duty at all. The one exception was willing to pay fifty cents per ton additional providing he received  $2\frac{1}{2}$  per cent. increase in the tariff, and he (Mr. Wood) still hoped the Government would see their way clear to raise the present tariff to twenty per cent., which he thought would give general satisfaction—

Mr. ROCHESTER: I would like to know what coal has to do with wheat or flour?

Mr. SPEAKER: The hon. gentleman is speaking on matters which are kindred to the whole question of Protection.

Mr. WOOD said it might be all very well for the people of Montreal to pay a duty of 50c. per ton on American coal, but it would take from \$1 to \$1.50 to displace a single ton of American coal at Hamilton by Nova Scotia coal, and this would handicap the manufacturers in that city to that extent in favour of eastern manufacturers. These political economists said they gave every poor man a free breakfast table; they said they had taken the duty off tea.

Mr. SPEAKER: I am afraid the hon. member has travelled out of order.

Mr. WOOD said that, not being a farmer, he was not able to discuss the question of the duty on flour and wheat so intelligently as he might wish, and, therefore, he was shut out

in a measure from the discussion. The remarks he had made should have been made when the hon. member for Kingston moved his amendment, but he had not then an opportunity. When the hon. gentleman moved his resolution, last year, similar to the one he had moved this Session, he (Mr. Wood) not only voted against it, but moved an amendment to it, which although voted down, received a much larger support in the House than that of the hon. gentleman. And he would this year have moved the same amendment had not the hon. gentleman been too wily and moved his resolution at a time when no amendment could be made to it.

Mr. KERR said he would not protract this debate one moment, but for the extraordinary declaration with which the right hon. member for Kingston had thought fit to conclude his brief speech. He (Mr. Kerr) rose to call the attention of this House, and the attention of the people of this Dominion to what was involved in that declaration. The right hon. gentleman had declared that he intended to vote for the resolution; at the same time the six representatives of Prince Edward Island said they did not want a tax put on flour and wheat imported into this country. The right hon. gentleman knew this, but he said: "I do not care what you want; flour and wheat shall be taxed." New Brunswick sent to this House some sixteen, Nova Scotia, twenty-one, and Quebec sixty-five representatives to this House, all of whom said their constituents did not need this tax. The hon. gentleman said: "You don't know what you want; you don't know what is good for you; or, if you do, I don't care; wheat and flour shall be taxed." He (Mr. Kerr) had listened patiently, for four consecutive Sessions, to the debates upon this question, without any bias or prejudice one way or the other, and he considered that the weight of argument was overwhelmingly in favour of the tariff as it now stood. Sometimes he had thought that we had far too much talking upon this question of a modified Protection and a high protective tariff, but he did not know that all this talking had been

in vain; he believed it had brought people's knowledge up to the proper standard, and they were now able to judge for themselves; and he was greatly mistaken if the tone of public opinion was in favour of the present Administration, and in favour of the present policy being adhered to. They were told this tax should be imposed on wheat and flour in the interests of the farmers. Certainly, from all the arguments they had heard it was not in the real interests of Ontario; and, even if it gave a slight advantage to that great Province, and was, at the same time, a great disadvantage and injustice to the other Provinces, he was not a man to stand up for such a measure. If wheat came into this country from the United States it gave employment in its transport, and in being made into flour, and, therefore, really benefitted the country. Hon. gentlemen opposite said they were not to be held responsible for this proposition. He did not hold them directly responsible, but he did hold them indirectly responsible. It was the offspring, as the hon. member for South Simcoe said the other evening, the first-fruits of the series of resolutions which were moved from that side of the House. Well, it was a miserable bantling, this fruit of their magnificent National Policy; he hoped they would be spared from witnessing the introduction of any more bantlings bred of this policy. Some time ago they had a policy for fostering the manufacturing and agricultural interests. Subsequently, this was enlarged by adding another interest—the mining—and this Session this magnificent National Policy had been further enlarged by adding “other industries.” No one knew what these other industries were. The expression was similar to what Coke said about Littlyton. He said that Littlyton's writings were full of meaning, even his *et ceteras*. He had no doubt “other industries” had a great deal of meaning. It devolved upon those bringing forward that policy to show the desirability of such a change. Since that policy had been brought forward, not one of the hon. gentleman's followers had clearly explained what it all meant; there was a condition attached to it. Before they

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had this policy fully unfolded to their admiring gaze, the right hon. member must be returned to power. He, for one, was not going to accept this condition. His constituents said: “Do not accept any National Policy, unless you know something more about it than they have told you.” He could not, consistently with his duty to his constituents, vote for the resolution, and he would have pleasure in aiding Mr. Speaker to announce that the resolution had been carried in the negative. The hon. member for North Huron had said there were too many lawyers on the floor of this House. He granted that, and he would be very glad to make way, at any time, for an intelligent farmer to represent the agricultural interests on the floor of this House; and, in his own Riding, he was happy to say, that the farmers were so intelligent that they were abundantly able to represent the agricultural interests in this House. There were some thirty agriculturists in this House, and they had shown themselves a credit to the country, for they had shown those gentlemen who had tried to force upon this country protection to agriculture, that they did not want anything of the kind. Farmer after farmer had, without exception, risen in his place and declared in the most unequivocal terms that what the right hon. member for Kingston said the farmers wanted and must have, they did not want, and would not have, so far as they could prevent it. He would yield to no man in his desire to see every industry in the country flourish, and especially did he desire to see that great interest which was the backbone of Ontario, the agricultural interest, flourish, and he believed the vote he would give to-night, would be one endorsed by every intelligent agriculturist in every Riding throughout the Dominion. He thanked the House for the attention they had given to his views, which he would not have enunciated had it not been for the extraordinary declaration which the right hon. member for Kingston had made in his brief speech. No doubt the hon. members for West Hastings and East Durham had honestly, and with the best motives, moved and seconded that resolution. His own

county happened to lie between their counties, and he might be behind the age, but whatever the object of that resolution, it was a sorry burlesque on the series of resolutions which had been moved on the other side of the House, and which, he had no hesitation in saying, had been characterized as the veriest piece of claptrap and humbug with which the country had been misled.

MR. CAMPBELL said he could not make out what policy the Government were going to pursue on this subject, as they had remained silent during the whole debate; yet he could not imagine the mover and seconder of these resolutions, both supporters of the Government, would undertake to divide this House on the subject without previously having had the confidence of the Government. He took it for granted the Government would not support the motion, but it was strange they should not signify their course previously. He could see no other object in the motion than to put him and others in a false position. It would not be popular in the Maritime Provinces to pay a duty on flour when their own productions were not protected. It was right that the farming industry should be protected as well as any other industry; they should all stand on the same footing. He would not ask the farmers to protect his industry unless he was prepared to protect theirs, and, therefore, he would vote for this resolution. He did not think it would increase the price of breadstuffs in the Lower Provinces because Canada was exporting a large quantity of flour and wheat over her consumption. It would only result in excluding American productions, and in bringing the channel of trade through Canada, and the sooner this was done the better. When he heard hon. gentlemen talking about coal, saying they would never listen to a duty being put on coal, he could not help characterizing their policy as absurd. Why had not Hamilton grown as large as New York or Boston? Simply owing to our Canadian policy. He remembered when the finger of scorn was pointed at the United States for the policy

they pursued, but time had proved that theirs was the wisest course. The United States had forty million inhabitants while Canada had simply the same number as she started with. He held this Government would have changed their policy and passed laws to benefit the whole people. Hon. gentleman quoted the Free-trade policy of Great Britain. That policy might have been successful and it might not; it was doubtful whether it had added to the prosperity of that country, and if it had, the interests of Great Britain were altogether different from those of Canada. The manner in which the United States had grown was sufficient proof of the wisdom of their policy. The present condition of Canada was due to the foolish legislation of this country dividing it into sections, each section acting for itself. He wanted to have the opinion of the Government on this motion.

MR. BROWN said he wished to disclaim any intention in moving this resolution, of making a privileged section, as the hon. member for Charlevoix had stated, of any section of the Dominion. He had seen a notice in the papers by an hon. gentleman from Quebec putting a duty on coarse grains, and he thought as an hon. member for Ontario, he had a right to put a duty on grain and flour. When our National Policy was introduced in 1873, he voted for a duty on flour as well as coal. He saw no objection to a duty being placed on bitumen coal of 50c. per ton, which would enable Nova Scotia coal to be delivered as cheaply in Ontario as coal from the other side, but anthracite coal, which was not a product of the country, should be admitted free. He believed Ontario could supply the Lower Provinces with all the flour they required, and receive in exchange, their coal, and fish, and whatever they produced. He regretted very much the manner in which the right hon. member for Kingston had taken him up on this question. He had always voted in the direction of bringing round a sort of reciprocity treaty. He had voted for the amendment of the right hon. member for Kingston, and regretted that amendment had not been carried; but

when this had failed, he considered his separate motion should be carried. He regretted that the hon. member for West Northumberland (Mr. Kerr), who as a lawyer, should have used more courteous expressions, should have characterized as a bungling one the most important motion which could be submitted during the debate; but before the hon. gentleman got through with his next electoral contest he would find that the question would have to be met with something more than by the statement that it was a dangerous and disreputable motion.

MR. STEPHENSON said he congratulated the hon. member for West Hastings (Mr. Brown) and the hon. member for East Durham (Mr. Ross) on having submitted the motion to the House. It was, however, a matter for regret, that one of the hon. members opposed the motion proposed by the right hon. member for Kingston on the question of Protection, which motion covered the whole subject. As the present motion had been brought forward, he, as a representative of a Western Canada constituency, would vote for it as a small instalment in the right direction. The farmers of Western Ontario were in favour of the proposal contained in the present motion, notwithstanding the statement of the hon. member for Northumberland (Mr. Kerr) to the contrary; indeed, if a vote were taken in the hon. gentleman's constituency, the opinion would be expressed that the constituency was not in favour of the opinion expressed by their representative. The hon. member for Hamilton had used an expression that might sound very well in Hamilton, but would not be deemed to have the true ring by the country. He (Mr. Stephenson) knew that the farmers and manufacturers in his part of the country were prepared to pay a tax on coal, as they had paid their share towards the construction of the Intercolonial Railway, in order to bring coal from the east to the west, and to send flour down to the Maritime Provinces. He regretted to notice that some hon. members, claiming to be members of the ruling political party, advocated the adoption of a sectional policy. He hoped such a policy would

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be abandoned, and that our young men would be brought up to support a national policy, as not only suitable to Ontario, but to all the other Provinces of the Confederation. They must rise superior to the little parish politics which we had been talking about for many years, and a degree of liberality must be shown that had not yet been displayed by certain parties. Ontario, as the premier Province of the Dominion, possessed a degree of liberality that had not been shown by other sections. Nova Scotia, Prince Edward Island, New Brunswick and part of Quebec, were naturally manufacturing Provinces, while Ontario and Manitoba formed the great agricultural Provinces; and under those circumstances, it behoved them to adopt the fiscal policy of the United States. He had seen our markets demoralized by corn brought in from the United States, causing a fall in the price of from 65c. to 40c. per bushel. It was argued that the fall in price benefitted the consumer. He believed such was not the case, for it demoralized the market. The same state of things occurred with respect to wheat. Our wheat which one day was sold at \$1.10, was perhaps on the following day reduced in price to 95c. by the arrival of wheat from Chicago or Milwaukee. A fiscal policy should be adopted that would assist farmers and mechanics alike. He was prepared to vote for the amendment as an instalment of a National Policy.

Amendment (Mr. Brown) *negatived* on the following division:

YEAS:

Messieurs

Bowell,	McCallum,
Brown,	McGregor,
Cameron,	McQuade,
Campbell,	Monteith,
Farrow,	Orton,
Fraser,	Platt,
Gibbs (North Ontario),	Robinson,
Gibbs (South Ontario),	Rocheester,
Haggart,	Ross (East Durham),
Jones (South Leeds),	Ryan,
Kirkpatrick,	Stephenson,
Little,	Thompson (Cariboo),
Macdonald (Kingston),	Wallace (S. Norfolk),
Macmillan,	White (Renfrew).—26.

NAYS:

Messieurs

Appleby,	Irving,
Archibald,	Jetté,

Aylmer,  
 Baby,  
 Bain,  
 Barthe,  
 Bécharde,  
 Benoit,  
 Bernier,  
 Bertram,  
 Biggar,  
 Blackburn,  
 Blain,  
 Blake,  
 Blanchet,  
 Bolduc,  
 Bordon,  
 Borron,  
 Bourassa,  
 Bourbeau,  
 Bowman,  
 Boyer,  
 Brooks,  
 Brouse,  
 Buell,  
 Bunster,  
 Burk,  
 Burpee (St. John),  
 Burpee (Sunbury),  
 Carmichael,  
 Cartwright,  
 Casey,  
 Casgrain,  
 Charlton,  
 Cheval,  
 Christie,  
 Church,  
 Cimon,  
 Coffin,  
 Colby,  
 Cook,  
 Coupal,  
 Currier,  
 Cuthbert,  
 Daoust,  
 Davies,  
 Dawson,  
 Delorme,  
 Desjardins,  
 De St. Georges,  
 DeVeber,  
 Devlin,  
 Domville,  
 Dugas,  
 Dymond,  
 Ferris,  
 Fiset,  
 Fleming,  
 Flynn,  
 Forbes,  
 Frechette,  
 Galbraith,  
 Geoffrion,  
 Gibson,  
 Gillies,  
 Gillmor,  
 Goudge,  
 Greenway,  
 Guthrie,  
 Haddow,  
 Hagar,  
 Hall,  
 Holton,  
 Horton,  
 Huntington.  
 Hurteau,

Jones (Halifax),  
 Kerr,  
 Killam,  
 Kirk,  
 Laflamme,  
 Lajoie,  
 Lande, kin,  
 Langevin,  
 Langlois,  
 Lanthier,  
 Laurier,  
 McDonald (Cape  
 Breton),  
 MacDonnell (Inverness)  
 Macdougall (East  
 Elgin).  
 McDougall (S. Renfrew)  
 MacKay (Cape Breton),  
 McKay (Colchester),  
 Mackenzie,  
 McCraney,  
 McGreevy,  
 McIntyre,  
 McIsaac,  
 McNab,  
 Malouin,  
 Masson,  
 Metcalfe,  
 Méthot,  
 Mills,  
 Mitchell,  
 Montplaisir,  
 Norris,  
 Oliver,  
 Ouimet,  
 Palmer,  
 Paterson,  
 Perry,  
 Pettes,  
 Pickard,  
 Pinsonneault,  
 Pope (Compton),  
 Pope (Queen's, P. E. I.),  
 Pouliot,  
 Power,  
 Ray,  
 Richard,  
 Robitaille,  
 Roscoe,  
 Ross (Prince Edward),  
 Rouleau,  
 Roy,  
 Rymal,  
 Scatcherd,  
 Scriver,  
 Sibley,  
 Short,  
 Sinclair.  
 Skinner,  
 Smith (Peel),  
 Smith (Selkirk),  
 Smith (Westmoreland),  
 Snider,  
 Taschereau,  
 Thompson, (Haldi-  
 mand),  
 Trow,  
 Wade,  
 Wallace (Albert),  
 Wood,  
 Wright (Ottawa Co.),  
 Yeo,  
 Young.—148.

## SUPPLY.

House again resolved itself into Committee of Supply.

## VI.—PENITENTIARIES.

36.—Halifax Penitentiary (balances to be transferred to Dorchester Penitentiary, if required)..... \$24,966.35

In answer to Mr. LANGEVIN,

MR. LAFLAMME said that the reduction related to cost of maintenance. The number of convicts had been the same, 90 this year and 90 last year. A large sum was last year wanted to manufacture brooms and pails. The market had been overstocked this year, and the quantity supplied for manufacturing being sufficient, exempted them from demanding any appropriation in this respect.

SIR JOHN A. MACDONALD: What description of industry is now carried on in the Halifax Penitentiary, and is it done by contract?

MR. LAFLAMME said the work was not contracted for, and the prisoners made pails, tubs, etc.

Vote agreed to.

37. St. John Penitentiary (balances to be transferred to Dorchester Penitentiary, if required)..... \$41,806.00

MR. DOMVILLE asked what was the nature of the complaints with reference to that establishment, as to the taking away money from prisoners?

MR. LAFLAMME said no irregularities had come under his knowledge.

MR. DOMVILLE said it had been stated that the money of the prisoners was not forthcoming.

MR. LAFLAMME said that, if an opportunity were afforded, he would look into the matter.

SIR JOHN A. MACDONALD said no further public funds should be voted to a public institution until such a charge as that was cleared up.

MR. DOMVILLE said the charge was that one of the officers had been superannuated, and that the man who had been put in his place was older, which was a reflection upon the Government idea of superannuation.

SIR JOHN A. MACDONALD said that he had heard of the matters which the hon. member for King's had mentioned. He had heard that the convicts had, in fact, been robbed. These

were serious statements. If true, it showed a very grave irregularity.

MR. LAFLAMME: I would be much obliged to the hon. member for King's if he would inform me whether he alludes to the Warden or some other officer.

MR. BURPEE said that the man who was superannuated was not younger than the one this person replaced. The present Warden was a good many years younger than the late Warden. This irregularity had been thoroughly investigated by the Inspector of Penitentiaries, who had made a full and exhaustive report to the Department, though he did not remember the particulars.

In answer to Mr. LANGEVIN,

MR. LAFLAMME said that no occupations other than those followed during previous years had been found for the convicts at Halifax. An attempt at broom and pail making had been made last year, and a certain quantity of material for that purpose had been purchased. This year the convicts would be similarly employed, and the material purchased last, would suffice for this year.

MR. MACKENZIE said that a good deal of labour had been done at the Kingston Penitentiary in connection with the new building in the Maritime Provinces. The whole of the iron work for the new penitentiary had been executed in Kingston. The frogs for the Pacific Railway were also made at Kingston, and these were somewhat expensive articles.

MR. JONES (South Leeds) said the occupants of the penitentiaries were altogether too well fed and well looked after, and it was, under those circumstances, too bad that their labour should be brought into competition with the honest labour of the country.

Vote agreed to.

38. St. Vincent de Paul Penitentiary.....\$84,278 09

MR. LAFLAMME said the increased vote had its origin in the necessity for making the penitentiary complete as regarded the outer walls, and other matters of that kind.

SIR JOHN A. MACDONALD.

MR. CAMERON called attention to a great discrepancy in the maintenance account of this penitentiary as compared with that of the Kingston Penitentiary. While the expense of maintaining 264 convicts in the former was \$34,130, the expense of maintaining 765 in the latter was only \$63,736. These were entirely disproportionate.

MR. LAFLAMME said the rate *per capita* was just the same as it was last year. In the item of maintenance were included the cost of removing convicts from the St. Vincent de Paul Penitentiary and several other items. Moreover, the farm of Kingston Penitentiary was very productive, while there is scarcely any revenue in this respect in the other. He promised to lay before the Committee a detailed statement of the maintenance accounts of the two institutions.

MR. KIRKPATRICK said the comparison between the expenditures at the Kingston and St. Vincent de Paul Penitentiaries, spoke very favourably of frugality and good management on the part of the Warden of the Kingston institution.

MR. MACKENZIE said it was the only complete penitentiary we have, and a comparison of the other penitentiaries with it would be manifestly unfair to the former. He pointed out that the item of maintenance included heating, provision, clothing, etc.

MR. HAGGART said the proposition of expenditure for the guards in the St. Vincent de Paul Penitentiary should be the same as for those at Kingston, whereas it was a great deal more. There were more keepers in the former institution than there were at the latter, while the number of prisoners was considerably less.

MR. LAFLAMME said the keepers were trade instructors.

MR. LANGEVIN pointed out that under that arrangement there would be more instructors at St. Vincent de Paul Penitentiary than at Kingston.

MR. LAFLAMME stated that the large number of guards at the St. Vincent de Paul Penitentiary was necessitated by the state of the buildings, and no more were employed than were absolutely necessary.



MR. MACKENZIE said a detailed statement of the work on which the prisoners had been engaged could be found in the report. The convicts, for instance, had done \$12,630 worth of masonry, carpentry and blacksmith's work for the Public Works Department, and \$21,507 worth for the penitentiary.

Vote agreed to.

30. Manitoba Penitentiary.....\$19,468  
40. British Columbia Penitentiary... 20,950

Votes agreed to.

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Fifty-five minutes past  
One o'clock

HOUSE OF COMMONS.

Tuesday, 9th April, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

EXAMINING WITNESSES ON OATH.

RESOLUTION PROPOSED.

MR. YOUNG moved:

"That it is desirable that any witness to be examined by the Standing Committee of Public Accounts in connection with the expenditure of public money by the purveyors of the Government in the North-West should be examined on oath."

Motion agreed to.

IMPRISONMENT IN DEFAULT OF SURETIES BILL.—[BILL No. 73.]

(Mr. Laflamme.)

FIRST READING.

MR. LAFLAMME introduced Bill (No. 73) Respecting persons imprisoned in default of giving sureties to keep the peace. He said that it was intended to avoid the delay now incurred in bringing up such parties as were condemned to give such surety. They were now obliged to await the general gaol delivery or the Quarter Sessions,

in which way they were often punished more severely by length of detention than if tried and convicted of the offence, and there was no occasion for them to be brought before a Judge to give such security.

SIR JOHN A. MACDONALD said he had no doubt the Bill was a very good one, but it was very late in the Session to introduce it.

MR. LAFLAMME said the Bill was a very simple one in its character and ought to have been passed many years ago. He had received representations from the Attorneys-General of the different Provinces showing the great injustice done to these parties under the present system.

SIR JOHN A. MACDONALD said he did not mean to dispute the Bill until he had seen it, at all events, but the Government must take the responsibility of introducing new measures at such a late period of the Session. If prorogation was delayed, the fault would not lie with the Opposition. It was not fair to take away private members' days in order to bring down new measures.

Bill read the first time.

MONTREAL INVESTMENT AND BUILDING COMPANY BILL.—[BILL No. 71.]

(Mr. Holton.)

FIRST READING.

MR. HOLTON moved the first reading of Bill (No. 71) (from the Senate) To confer certain powers on the Montreal Building Association by the name of the Montreal Investment and Building Company.

Bill read the first time.

THE QUEBEC CRISIS.

NOTICE OF MOTION.

SIR JOHN A. MACDONALD: Before the Orders of the Day are called I wish to state to the House and to the hon. gentleman at the head of the Government—as I have already done to him privately—that it is my intention to move, on going into Supply, at an early day, a motion, in order to bring under the attention of the House the late occurrence in Quebec. The

resolution which I intend to move I shall, in the course of the afternoon, communicate to the hon. gentleman at the head of the Government. I would like a day fixed for the purpose of discussing this very important question. I would suppose that the hon. gentleman would allow it, by general consent, to be brought up on going into Supply on Thursday, and I shall then move my resolution on the motion that the Speaker do now leave the Chair. I intend to bring up the constitutional question, as much as possible, on its own merits, and try to raise the question out of the slough of Party.

MR. MACKENZIE: I shall have great pleasure in facilitating the purpose which the hon. gentleman has, and I am glad to see he proposes to discuss this matter upon its own merits, entirely apart from the slough of party politics. If that be the case, I think that the proper course for the hon. gentleman would be to bring it up as a substantive motion, and I shall afford every facility for doing so on Thursday. If it is intended, however, to move an amendment, of course the hon. gentleman will see that he is confining it in such a position that it is quite impossible to avoid the conclusion that there is something political in it. But if the hon. gentleman chooses to take what I offer, I think that it will dignify the discussion, and facilitate the object which the hon. gentleman has in view. It is a very important object, I admit, and one which it is desirable in the interests of the whole confederacy, perhaps, to discuss fairly on its merits, and this can only be done, I venture to say, in the way I have suggested.

SIR JOHN A. MACDONALD: I would have no objection to this proposition, but for this fact: I desire to make a certain proposition to the House, and to have it discussed on its own merits; but, if I make a separate and independent motion, it can always be avoided by a motion for the previous question, or a motion in amendment, giving the go-by to the principle laid down in the resolution, and pass to the Orders of the Day. Anything of this kind can be done; and, therefore, as it is a well-known principle that a motion which in no way

affects the Government of the day in its terms, as it is not a vote of want of confidence or censure from any point of view, it is a grievance that should be made on going into Supply, which is the proper constitutional period for making such a motion. I shall then be obliged to move it. I will communicate this resolution to the hon. gentleman, and, if he makes any suggestion to alter and amend it, on which we can agree, I shall be most happy to settle the resolution, so that we can have it discussed on its own merits; but the hon. gentleman cannot engage for the House that no amendment will be made, even if he and I agree upon a proposition. He cannot control the House, and any member can make a motion which will prevent or intercept the consideration of the constitutional proposition which I desire to make. I, therefore, feel myself bound to move it on going into Supply; but I shall be glad to communicate with the hon. gentleman, and settle, if possible, on the question to be discussed.

MR. MACKENZIE: I am not sure that I could control myself more than the House, as to the moving of an amendment, because I do not know what the hon. gentleman's motion may be. It is quite possible that it is—and I think it is—one with which I could not agree. The hon. gentleman has not discussed the matter with me at all personally, and I, therefore, cannot tell what his motion may be; but, if it goes in a certain direction, I should feel bound, if an opportunity offered, to move an amendment. I tell him that frankly. The object of moving a motion on going into Committee of Supply, respecting a question of this kind, is not very apparent.

SIR JOHN A. MACDONALD: That is the constitutional line.

MR. MACKENZIE: I think not. I think that another opportunity would be the best, though not for mere discussion, I quite admit; but, if the hon. gentleman wants to vote on any principle, he ought not to confine his motion to an occasion when there can be no amendment of his motion, because he is simply asking the House in that case to conform to his own view of a

particular transaction, or else vote it down. While the House might concur with a certain portion of the motion, but not with the rest, we are obliged, on a motion in amendment on going into Supply, to accept whatever the hon. gentleman chooses to offer us, or to neglect it. The proposition is—take this or nothing. It is not reasonable that a matter of this sort, which has so largely engaged the public attention, and about which manifest difference of opinion as shown in the public Press, controlled, or influenced, I should perhaps rather say, by hon. gentlemen opposite, and in another portion of the Press, should be brought up in this way. It is quite clear that there is, and most probably will be, a difference of opinion. I do not desire at all to conceal from myself that, possibly, there may be a difference of opinion and, therefore, I should like my own opinions to prevail in any motion that is to be made, if I could induce the House to do so. The hon. gentleman will place his motion in such a way that it will be impossible for the House to give any opinion at all on it, except either to accept it or to vote it down.

SIR JOHN A. MACDONALD: Exactly.

MR. MACKENZIE: And for that reason, I think that the other course would be preferable; but, of course, I cannot control the hon. gentleman, who must form his own policy.

SIR JOHN A. MACDONALD: I want, Mr. Speaker, to have a vote in this House on the constitutional principle which I intend to submit to it. If that proposition is not acceptable to the House, then it will vote it down, and there is an end of it; but if it is acceptable, I want a vote on it; but neither I nor those who act with me and who wish to have a vote on the constitutional question, desire to have that proposition laid aside and another and a different constitutional question discussed by way of amendment. It is quite clear that if we have a distinct idea as to what the constitutional question is, I ought to have the right to bring it up in such a way as to have the opinion of the House on it, and I will submit, of course, if the House is

not of the same opinion as myself; but I do not want the discussion to go off on another and a different proposition from that on which I desire to obtain the opinion of the House. The hon. gentleman, of course, cannot control the House; and, otherwise, any hon. gentleman who thinks with the hon. gentleman (Mr. Mackenzie) can bring up the question in accordance with his view, in another and a distinct motion if he pleases.

MR. HOLTON said it must be quite obvious that if the right hon. gentleman desired to obtain the deliberate judgment of Parliament on this important matter, he could only get it by bringing up his motion in accordance with the suggestion of the hon. the First Minister, in a form in which it could be amended. The right hon. gentleman intended to adopt a form of words or submit it to the House in a connection in which it was not susceptible of amendment; and whatever shades of opinion there might be, and whatever choice there might be as to the form of expression, the hon. gentleman practically said to the House—"take this or nothing." That was not the usage in respect to matters of this kind. He happened to remember the course taken when the celebrated Government resolutions were proposed at Kingston, in 1841, by the late Mr. Baldwin, who brought them up as substantive propositions. They were amended on the motion of the Government of the day by the then Secretary, Mr. Harrison. The deliberate judgment of Parliament was, therefore, obtained, not merely upon the essence of the resolution, but on the form of words to be adopted; and these resolutions stood to this day as in some sort the charter of our liberties, as having established the principle of responsible government which had been in existence ever since. The right hon. gentleman, in introducing this resolution, having reference to the effect upon a system of responsible Government of certain proceedings recently at Quebec intended, it might be presumed, that there should be but one view in reference to this matter. He made no allowance for the existence of diverse opinions in the House,

and seemingly wished to prevent the placing on record of any resolution which differed even in its form of words from that with which he clothed the opinion of the House, as stated by him. Nothing could be more unfair to the House. The right hon. gentleman had been afforded every facility by the First Minister to bring forward his motion at this stage of the Session, and if he was compelled to place it on the notice paper in the usual way, it would practically amount to telling him that the question could not be discussed this Session. When, therefore, he was offered the option of a Government day in order to bring forward his motion, fair discussion should be permitted upon it, in order that it might be set forth in a form which would represent correctly the deliberate judgment of Parliament on the matter. He must say that the right hon. gentleman was not doing even himself justice when he rejected the proposal of his hon. friend the First Minister.

MR. MASSON: I think my hon. friend from Chateauguay is greatly mistaken. I think he will remember that the resolutions passed in 1841 were introduced by the Government themselves.

MR. HOLTON: No; they were introduced by Mr. Baldwin.

MR. MASSON: Yes; and amended by Mr. Harrison.

MR. HOLTON: Mr. Baldwin was not a member of the Administration at the time.

MR. MASSON: They were produced as the wish of a majority of the people who protested against an act of the Government of the day.

MR. HOLTON: My hon. friend is mistaken. These resolutions were proposed in 1841, before the crisis of 1843, which he is evidently thinking of. They were proposed and introduced in the usual way, and were amended on the motion of Mr. Secretary Harrison, on behalf of the Government, Mr. Baldwin, at that time, not being a member of the Government.

MR. HOLTON.

MR. MASSON: The Government had, at that time, the whole responsibility of the motion. That is the difference between it and the present motion. I think, in a crisis like this, the Government should, themselves, be the parties to move in this question. I am sure my hon. friend from Kingston is ready, at this moment, to hand the whole question over to the Government if they will move themselves.

MR. HOLTON: Mr. Baldwin was not a member of the Government. He moved the resolution, and Mr. Harrison, on behalf of the Government, moved the amendment.

MR. MASSON: With the approval of Mr. Baldwin, because it passed unanimously. Every motion was moved by Mr. Baldwin, and every one was amended by Mr. Harrison, with the consent and approval of Mr. Baldwin. The Government, in that case, took the question into their own hands, with the consent of the party who moved the motions. My hon. friend from Kingston is ready to do the same thing at the present moment, and we will be glad to see the resolution which they in vindication of what they believe, as Liberals, to be right.

MR. DEVLIN: You will get that on the 1st of May next from those who have a right to render judgment on that question.

SIR JOHN A. MACDONALD: I think the hon. gentleman's remark shows how absolutely necessary it is to have this question brought up as a grievance. The time to move it is when we go into Supply.

MR. BLAIN said, before this matter was disposed of, he wished to express the opinion that the proposition of the hon. member for Kingston was one that the House ought not to accede to. He held that any member of the House had as good a right to move an amendment to a motion which might be brought before the House as the leader of the Opposition, or to bring before the House a proposition such as he proposed to bring. They were told, however, that they must either accept the proposition or reject it. Now, he would appeal to hon. members to say whether that principle had not been

carried to a length which had interfered with the proceedings of the House and the interests of the people of this country. He could point to a resolution which was brought up and disposed of the previous evening by the hon. member for Northumberland. Many men in the House took a different view, and were prepared to move amendments to the form in which it was put before the House, but were unable to bring their amendments forward. He was sure the members from the Maritime Provinces and Quebec would only have been too glad to have taken another course.

MR. MITCHELL rose to a point of order. His hon. friend was evidently mistaken when he spoke of this motion having been moved by the hon. member for Northumberland.

MR. BLAIN said he had merely made a mistake as to the name, but not as to the principle. What he contended was, that, if the hon. gentleman desired fair discussion on his proposition, he would accept the offer which had been made by the leader of the Government. He (Mr. Blain) was prepared to say, knowing precisely the course the right hon. gentleman would take, that the resolution did not express the opinion of members of the House. He would, however, urge upon him the desirability of accepting the proposition of the leader of the Government, as otherwise he would be liable to the charge of having brought this resolution before the House for political purposes.

SIR JOHN A. MACDONALD said he was sorry he could not propose a resolution which would meet with the support of hon. gentlemen. One hon. gentleman who had spoken reminded him of the man spoken of by Shakespeare, who would not tell the truth because the devil bade him. For the same reason, that hon. gentleman would not vote for his resolution; and, because he was opposed to him in politics, he would vote either for black or white.

MR. BLAKE said he understood this motion was, in the first instance, introduced with the view of arriving at the opinion of the House upon this grave constitutional question. To that his hon. friend the Prime Minister said it

would be better to permit a substantive motion, in order that the opinion of Parliament might be more correctly ascertained. The hon. gentleman, however, evidently wished to express the opinion of Parliament in his own way, and called upon them to vote either for or against the motion.

MR. MASSON: Then submit a motion yourselves.

MR. BLAKE said, in the meantime, they were discussing the proposition of the right hon. member for Kingston; they might move or they might not. The right hon. gentleman, as he had said, called the attention of the House to the subject, which he represented as one of great gravity, and he dignified and ennobled his motion by the contention that he was speaking above party politics. They felt delighted to know that it was possible this grave constitutional question might be discussed in that broad sense, but the hon. gentleman said, "No; we are afraid of Parliament; we fear that you may move an amendment; that you may express some opinion which we do not concur in;" and, therefore, the right hon. gentleman stood before the House and the country with reference to this subject, saying, "Such and such are principles of constitutional government, which the majority of the House believe in." But that appeared not to be the opinion of the majority, and yet they were not allowed to amend the resolution, thus being placed in the false position of being forced to vote it down. Though the hon. gentleman had assured them that he had brought his motion forward without partizanship, yet he refused to hear the opinion of the House on the matter.

RECEIVER-GENERAL AND ATTORNEY  
GENERAL OFFICES BILL —

[BILL No. 51.]

(Mr. Laflamme.)

THIRD READING.

Order for third reading read.

MR. LAFLAMME moved "That the Bill be not read a third time, but that it be recommitted to a Committee of the Whole, with instructions that they

have power to] amend the same by substituting the following in lieu of section 5 :”

‘The Governor in Council may, from time to time, make regulations providing for such control of the Attorney-General over any person on the staff of the Department of Justice as shall seem requisite for the execution of the duties of the Attorney-General’s office.’ ”

*Motion agreed to.*

House resolved itself into Committee on said Bill.

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

MR. LAFLAMME moved the third reading of the Bill.

MR. MITCHELL said that, as he intimated when the Bill was under discussion, he had expressed his serious objections to it, and his intention to move an amendment upon its third reading. One objection was that the Bill involved the creation of an office which he believed to be quite unnecessary. He had no objection to the second part of the Bill, which extinguished the office of Receiver-General, or rather amalgamated it with that of the Finance Minister. At the time when the Receiver-General was appointed, the time of federation, they could scarcely know what a country, extending as it did thousands of miles, would require for carrying on its Government. It had been found that the office of Receiver-General could be dispensed with, and he was sure there was scarcely a gentleman in this House who would not give his cordial support to the abolition of that office. So much for the two first clauses of the Bill. The other portion of the Bill gave the Governor in Council power to create a new officer, to be appointed Attorney-General, who should have a position as Privy Councillor. He was under the impression that when this economic Government came into power they would have reduced the number of these officers. They said, when in Opposition, that five or six members of the Cabinet were quite sufficient to carry on the Government of the country. They spoke of the Depart-

MR. LAFLAMME.

ment of Marine and Fisheries, of which he was then the head, with sneers. They had stated their views in respect to the unnecessary large number of members of the Cabinet broadcast, and had said there were too many officers, and the Government might dispense with some of them. What did these gentlemen do when they came into Administration? One of their very earliest acts was to establish a fourteenth officer, which was continued until it suited the convenience of the member for South Bruce (Mr. Blake) to give it up. Now they wished for political influence to get a piece of patronage. For what other reason was this new appointment proposed? There had been no complaint that the work was too much for the head of the Department, and even if it were, would he ask for a partner, a Minister who would divide the responsibility with him? No; that would not be the course a gentleman who understood his business would adopt. He might come down and ask for a subordinate officer to assist, but he should not shirk his responsibility. For three or four Sessions the Finance Minister had intimated to this House that there was a deficit.

MR. CARTWRIGHT: No; twice.

MR. MITCHELL said the hon. gentleman came down the first Session he held the office, and told the House that the statement of his predecessor was an incorrect statement, not one based on facts, and that the amount of money required would, therefore, be far in excess of what was anticipated, and he asked for an additional taxation of three million dollars to be put on to meet the deficiency. Then, in the two following years, he intimated that there would be a deficit, and, in the present Session, he distinctly informed the House that, as far as he could judge from the returns, the probability was that there would be a considerable deficiency.

MR. CARTWRIGHT: No; I did not.

MR. MITCHELL: Did not the hon. gentleman say that he would resort to direct taxation if he had the means.

Mr. CARTWRIGHT: You put words in my mouth that I did not use. I stated distinctly and repeatedly that if the revenue continued as good for the ensuing five months, there would not be a deficiency.

Mr. MITCHELL said he would accept that statement, as it clearly showed that his hon. friend knew the state of trade was in such a condition that he was not warranted in stating there would be no deficiency. This made four deficiencies, for he might accept the latter as an accomplished fact, and yet this Government came down and asked the House to create a new office. He would ask if the House was prepared, blindly, to adopt this Bill, saddling the country with a cost of \$10,000 to \$20,000 a year. He was surprised that, taking into consideration the distressed state of the country, and the fact that there had been four deficits, the Government dared to ask the House and the country to accept such a Bill. He would like to ask the hon. member for South Bruce how he could support such a measure. He recollected the hon. member's able speech at Teeswater, in which he took great credit to himself for having performed all the duties with a less staff, and at less expense than the right hon. member for Kingston had done. Had the Government not taken credit, since the opening of Parliament, for having reduced the expense of that Department. If it was desirable to reduce the staff and to lessen the cost, where was the reason to come down now and bring in a Bill, after having taken the credit of abolishing one office, to create another office and tack it on the Department of Justice. The two statements did not dovetail together. Either the predecessors of these gentlemen had discharged the duties well, or they had not. It had never been stated that they had not, and, therefore, it could not be justified to the country now to create a new office, taxing the people some \$20,000 or \$30,000 per annum, for the purpose of giving public patronage and enabling hon. gentlemen on the other side of the House to retain power. He would simply move the amendment which he felt it his duty to move, and

leave the responsibility to the House. He moved, therefore, in amendment:

"That the Bill be now read the third time, but that it be resolved that this House, while approving of the abolition of the office of Receiver-General as a step in the direction of retrenchment, is of opinion that the creation of an additional office in the Department of Justice entails upon the country an unnecessary charge and expense, not justifiable by the requirements of the Public Service, and therefore, that this Bill be referred back to a Committee of the Whole, with instructions that they have power to strike out all the clauses relating to the Department of Justice."

Amendment *negatived* on the following division:

YEAS:

Messieurs

Baby,	McDougall (Three Rivers),
Benoit,	McKay (Colchester),
Blanchet,	McCallum,
Bolduc,	McGreevy,
Bourassa,	McQuade,
Bourbeau,	Masson,
Bowell,	Method,
Brooks,	Mitchell,
Cameron,	Monteith,
Campbell,	Montplaisir,
Caron,	Orton,
Cimou,	Quimet,
Costigan,	Palmer,
Coupal,	Pinsonneault,
Cuthbert,	Platt,
Desjardins,	Plumb,
Domville,	Pope (Compton),
Dugas,	Pope (Queen's, P.E.I.)
Farrow,	Robinson,
Flesher,	Gibbs (Ontario, North)
Gibbs (Ontario, South)	Robitaille,
Haggart,	Rochester,
Harwood,	Roscoe,
Hurteau,	Rouleau,
Jones (Leeds),	Roy,
Kirkpatrick,	Ryan,
Langevin,	Schultz,
Lanthier,	Short,
Little,	Thompson (Cariboo),
Macdonald (Kingston),	Tupper,
McDonald (Cape Breton),	Wade,
	Wallace (S. Norfolk),
	White (North Renfrew)—64.

NAYS

Messieurs

Appleby,	Horton,
Archibald,	Huntington,
Aylmer,	Jetté,
Bain,	Jones Halifax),
Barthe,	Kerr,
Bécharé,	Killam,
Bernier,	Kirk,
Bertram,	Lafamme,
Biggar,	Landerkin,
Blackburn,	Langlois,
Blain,	Laurier,
Blake,	Macdonald (Centre Toronto),
Borden,	

Borron,	McDonnell (Inverness),	Burpee (St. John),	McIsaac,
Bowman,	Macdougall (Elgin),	Burpee (Sunbury),	McNab,
Boyer,	McDougall (S. Renfrew)	Carmichael,	Metcalfe,
Brouse,	MacKay (Cape Breton),	Cartwright,	Malouin,
Brown,	Mackenzie,	Casey,	Mills,
Buell,	McCranev,	Casgrain,	Norris,
Burk,	McGregor,	Charlton,	Oliver,
Burpee (St. John),	McIntyre,	Cheval,	Paterson,
Burpee (Sunbury),	McNab,	Church,	Perry,
Carmichael,	Malouin,	Coffin,	Pettes,
Cartwright,	Metcalfe,	Cook,	Picard,
Casey,	Mills,	Davies,	Pouliot,
Casgrain,	Norris,	Dawson,	Power,
Charlton,	Oliver,	Delorme,	Ray,
Cheval,	Paterson,	De. St. Georges,	Richard,
Church,	Perry,	De Veber,	Ross (Durham),
Coffin,	Pettes,	Devlin,	Ross (Prince Edward),
Cook,	Pickard,	Dymond,	Rymal,
Davies,	Pouliot,	Ferris,	Scatcherd,
Dawson,	Power,	Fleming,	Scriver,
Delorme,	Ray,	Flynn,	Shibley,
De St. Georges,	Richard,	Forbes,	Sinclair,
De Veber,	Ross (East Durham),	Galbraith,	Skinner,
Devlin,	Ross (Prince Edward)	Geoffrion,	Smith (Peel),
Dymond,	Rymal,	Gibson,	Smith (Westmoreland),
Ferris,	Scatcherd,	Gillies,	Snider,
Fleming,	Scriver,	Gillmor,	Taschereau,
Flynn,	Shibley,	Goudge,	Thompson (Haldimand),
Forbes,	Sinclair,	Greenway,	Trow,
Galbraith,	Skinner,	Guthrie,	Wallace (Albert),
Geoffrion,	Smith (Peel),	Hagar,	Wood,
Gibson,	Smith (Westmoreland),	Hall,	Wright (Ottawa),
Gillies,	Snider,	Holton,	Yeo,
Gillmor,	Taschereau,	Horton,	Young.—108.
Goudge,	Thompson (Haldimand),	Huntington,	
Greenway,	Trow,		
Guthrie,	Wallace (Albert),		
Hagar,	Wood,		
Hall,	Yeo,		
Holton,	Young.—105.		

Bill read the third time.

MR. LAFLAMME moved that the Bill do now pass.

Motion agreed to on the following division:

YEAS:

Messieurs

Appleby,	Irving,
Archibald,	Jetté,
Aylmer,	Jones (Halifax),
Bain,	Kerr,
Barthe,	Killam,
Bécharde,	Kirk,
Bernier,	Laflamme,
Bertram,	Landerkin,
Biggar,	Langlois,
Blackburn,	Laurier,
Blain,	Macdonald (Centre Toronto),
Blake,	MacDonnell (Inverness),
Borden,	Macdougall (Elgin E.),
Borron,	McDougall (Renfrew),
Bowman,	MacKay (Cape Breton),
Boyer,	Mackenzie,
Brouse,	McCranev,
Brown,	McGregor,
Buell,	McIntyre,
Burk,	

MR. MITCHELL.

Daby,	McDougall (Three Rivers),
Benoit,	McKay (Colchester),
Blanchet,	McCullum,
Bolduc,	McGreevy,
Burassa,	McQuade,
Beurbeau,	Masson,
Bowell,	Méthot,
Brooks,	Mitchell,
Cameron,	Monteith,
Campbell,	Montplaisir,
Caron,	Orton,
Cimon,	Quimet,
Colby,	Palmer,
Costigan,	Pinsonneault,
Coupal,	Platt,
Cuthbert,	Plumb,
Desjardins,	Pope (Compton),
Domville,	Pope (Queen's, P.E.I.),
Dugas,	Robinson,
Farrow,	Robitaille,
Ferguson,	Rochester,
Flesher,	Gibbs (Ontario, North) Roscoe,
Gibbs (Ontario, North) Rouleau,	Gibbs (Ontario, South) Roy,
Haggart,	Ryan,
Harwood,	Schultz,
Hurteau,	Short,
Jones (Leeds),	Thompson (Cariboo),
Kirkpatrick,	Tupper,
Langevin,	Wade,
Lanthier,	Wallace (Norfolk),
Little,	White (North Renfrew).—66.
Macdonald (Kingston),	
McDonald (Cape Breton),	

NAYS.

Messieurs

Bill passed.



## SUPPLY—THE TARIFF.

MR. CARTWRIGHT moved:

"That Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply."

Mr. Béchard and Mr. MacKay (Cape Breton) rose together.

MR. MACKAY (Cape Breton) said he had the floor before the hon. member for Iberville, and he was entitled to take precedence of him.

MR. SPEAKER said the hon. member for Iberville had had a motion on the paper for some time.

MR. MACKAY asked if the fact of having a notice on the paper entitled an hon. member to precedence over any other hon. member who saw fit to make a motion on going into Committee of Supply?

MR. SPEAKER: It gives him a claim to my attention as Speaker of the House, to which an hon. member who has not given such notice is not entitled. Under the English system, notice of motion is placed on the paper in all cases where an hon. gentleman wishes to move any motion on going into Committee of Supply. The Committee has so many notices on the paper that a ballot is had, and in that way it is determined who shall have precedence; but where a notice is placed on the paper it is intended for the eye of the Speaker, as well as for the eyes of hon. members, and he is, to a very great extent, directed by it.

MR. MACKAY: Mr. Speaker—

MR. SPEAKER: I must call the hon. member to order. The hon. member for Iberville has the floor.

SIR JOHN A. MACDONALD: I rise to a question of order. You, Mr. Speaker, have announced a certain ruling. The hon. member, if he dissented from your ruling, ought to have appealed to the House, and that can only be done without debate.

MR. MACKAY: I can say this—

MR. SPEAKER: The hon. member is called to order. I have no objection to discuss the matter—

MR. MACKAY: I do not wish to discuss the matter. All I desire to say is that you, Mr. Speaker, expressed an opinion before you allowed me to read authorities.

MR. SPEAKER: Will the hon. member please take his seat.

MR. MACKAY: What I desire to do is to read my authorities.

MR. SPEAKER: The hon. member for Iberville has the floor. If the hon. member (Mr. MacKay) thought he was entitled to the floor, and his question was entitled to precedence, he had the right to appeal to the House, without debate, and the House would determine whether he had the right to address the chair and make the motion, or not; but not having chosen to do that at the proper time, he has no right now to address the chair, the hon. member for Iberville having the floor.

MR. MACKAY: I wish to cite my authorities.

MR. BÉCHARD moved in amendment—

That Mr. Speaker do not now leave the chair, but that it be resolved "That a large quantity of corn and oats having been imported into Canada within the last few years, this House is of opinion that the interests of Canadian farmers would be promoted by the imposition of a duty upon the importation of those products."

He said that, in 1875, we imported 3,679,686 bushels of corn, and in 1877, 8,260,039 bushels. It was true that a large portion of that quantity was re-exported; but, at the same time, there was about one-half of it left in the country. The trade in importing oats commenced in 1876, in which year 628,366 bushels were imported, and did not appear to have been re-exported. That trade, indeed, seemed to have been regularly developed, for in 1877 we imported 1,697,706 bushels, of which 1,025,872 were re-exported, leaving in the country 672,834 bushels. Our exportation of oats to the United States had decreased since that year very rapidly. In 1875, we still exported to the United States 1,315,692 bushels, while, in 1876, we exported to the same country only 88,372

bushels, and in 1877 only 7,378 bushels. Our exportation of oats would go on decreasing from the fact that the farmers of the Western States, during the last few years, had been growing that product very extensively. Already they produced a sufficient quantity to supply the United States market and had a surplus to ship to foreign markets. He was in favour of placing a duty on those kinds of grain, without committing himself to any Protection scheme. The manufacturers of the Dominion were already protected by a 17½ per cent. tariff, and while the farmer paid that duty on every manufactured article he used, he received no compensation in return. Prior to 1876, the manufacturers were protected by a duty of only 15 per cent., and yet they were prosperous. At the present time they were sufficiently protected, and did not call for more protection. He admitted that manufacturers had suffered during the depression, but they had not suffered more than the other classes. All classes of the people had suffered, and it would be manifestly unfair to tax the people for the purpose of alleviating the distress to a particular class. He referred hon. members to the tariff of 1866, in which a duty of 10c. per bushel was imposed on all imported grains, with the exception of wheat, and yet that tariff was not considered as part of any general protection scheme. In regard to the question of reciprocity with the United States, he had hoped last year that, with the changes that had taken place at the White House and in Congress, and the settlement of the fisheries question, an opportunity would have been offered to reopen commercial relations with the United States on a more liberal basis; and, he must confess, his expectations were not well founded. He was convinced in that opinion by the answer he had received from the Government to a question which he asked the Ministry at the opening of the Session. In his humble opinion—he might be mistaken, and he wished this was the case—they would not secure reciprocity of trade with the United States as long as that portion of the Washington Treaty remained in force which gave to the Americans the right of navigating our

canals, and taking advantage of our fisheries on an equal footing with ourselves. With these remarks, he would leave the question in the hands of the House.

Mr. POPE (Compton) said that seven years ago he had spoken on this subject, and it had since been thrown up to him that he had then spoken and voted against the policy of laying a duty on flour. This was true, and to-day he would vote in exactly the same way, for the same reasons. He would vote against the motion of his hon. friend from Iberville, because it was a partial measure. He would no more support a partial measure in the interest of the Province of Quebec than in the interest of Ontario, as was seen the day previous. If they were to have a policy which would protect our industries, our manufacturers and our farmers, it must be a general policy, which would benefit all sections of the country. This result could not possibly be obtained by a partial policy such as the hon. gentleman proposed, and which would be unfair to the other Provinces. He could not by any possibility support such a motion. He was prepared, as he always had been, to consider any general policy of Protection intended to place the people of this country in a fair position in order to compete with the Americans. Some hon. gentlemen said that no Lower Canadian who would vote for a duty on wheat or flour could be found; but there was at least one that would be willing to do so, if it were in the interests of the whole community. If it were part of a general protective policy, he, for one, would vote for it. Nothing could induce him to vote for a sectional policy. He had and still advocated a protective policy which would enable us to compete fairly with our neighbours. He could point to a man in his own neighbourhood who had come there and commenced manufacturing, and, after having continued it a couple of years, he met this man one day, and what did the latter say? "I am going to leave this country; I cannot stop here; I am going back to New Hampshire." He asked the reason why, and the answer was: "These

people on the other side of the line have got our market. They come here and compete with me, while I cannot send a single thing over there; but, if I move to New Hampshire, I will not only have that market but this one also, and so I am going to leave." This was not an isolated instance. Such things occurred every day. Not only so, but, while we were paying large sums for immigrants and immigration, to bring people to this country, its very best blood, the young men of the country, were leaving by hundreds and thousands. In his own neighbourhood, not a week before he left home, he saw a dozen young men leaving the country, where they had no employment, and going to the United States, where they could find employment and secure better pay. Such were the facts; and for this reason, it did not matter very much what was the price of flour, if we had Protection, and so long as they placed in the hands of the people the means of purchasing it and living. They preferred to pay a higher price for their flour than to be idle and get nothing. He would not vote for any motion affecting simply Upper Canada or any of the Lower Provinces, as he did not believe that it would be for the interest of the country to do so; nor would he vote for any measure that was not general in its nature and in the interest of the whole population and for the great good of the country. Such a scheme he was prepared to support. He would tell his hon. friend from North York that he had not altered his mind a single jot or gone back a single bit from the doctrine the hon. gentleman had accused him of having held a few years ago. He still stood on the same ground, and he would not support a partial policy.

**MR. DYMOND:** I congratulate the hon. gentleman on being as perfectly consistent in his speeches as he is in his votes.

**MR. POPE (Compton):** I shall vote this year.

**MR. MASSON** said that, if he rightly understood the motion which was first proposed by his hon. friend from Iberville, it was far more extended in its character than the motion now before

the House, which he believed only included two articles. The motion, even as it was originally, excited grave objection. He had drawn the attention of the House, on the evening preceding, to a grave objection to it, which made him believe that the hon. gentleman was not really at all in favour of Protection, and that this was only dictated by motives of policy; and the fact of the hon. gentleman having narrowed his motion still further, proved to the House that he (Mr. Béchard) had no hope of its being carried. The hon. gentleman could not entertain such a hope. He would not say that the hon. gentleman did not desire to see it carried, for this would be unparliamentary, but the hon. gentleman could have no such expectation. If the hon. gentleman had moved for agricultural protection, as a whole, there might have been some reason for bringing this motion before the House; and, in that case, he would probably have done as he did last year, and vote for it, though he heartily agreed with Mr. Joly—and on this point he accepted Mr. Joly as his leader—who had told the people that it was absurd to believe that they could separate agricultural from industrial protection. Mr. Joly had declared most distinctly that protection to both agriculture and manufactures formed a good, strong team, powerful when they worked together, but almost useless when they were separated. Agreeing with Mr. Joly on this point, he thought he should be received into the good graces of the hon. gentleman opposite. He had worked with Mr. Joly at the time, and he was still ready to do so in this connection. He did not understand how these hon. gentleman who wished to plead in favour of agricultural protection, should so forget the principles of their party as to now come and take away almost the whole of this policy, and only leave these two articles in the list. What had these hon. gentlemen done with the question of animals? Did they propose to put us, in this respect, on the same footing as the Americans? Did the hon. gentleman propose to give reciprocity of tariffs, which was demanded in Lower Canada, with respect to animals, if we could not have Free-trade in the

United States? No; but he left this matter out of the question. Again, did the hon. gentleman include in his motion pease, barley and other grains? No; but he only proposed duties on corn, which Lower Canada did not and could not produce, and on oats; consequently, he should vote against the motion.

Amendment (Mr. Béchard) negatived on the following division:—

## YEAS :

## Messieurs

Baby,	Macdonald (Kingston),
Barthe,	McDonald (Cape Breton),
Béchard,	Breton,
Benoit,	McDougall (Three Rivers),
Bourassa,	McCallum,
Bowell,	McGregor,
Bunster,	McQuade,
Cameron,	Méthot,
Campbell,	Monteith,
Caron,	Montplaisir,
Cimon,	Norris,
Costigan,	Orton,
Coupal,	Quimet,
Cuthbert,	Pinsonneault,
DeCosmos,	Platt,
Dugas,	Plumb,
Farrow,	Pouliot,
Ferguson,	Robitaille
Flesher,	Rochester,
Gibbs (Ontario North),	Rouleau,
Gibbs (Ontario South),	Ryan,
Harwood,	Thompson (Cariboo),
Hurteau,	Tupper,
Jones (South Leeds),	Wade,
Kirkpatrick,	Wallace, (S. Norfolk),
Langevin,	White (Renfrew),
Lanthier,	Wright (Ottawa).—54
Little,	

## NAYS :

## Messieurs

Appleby,	Kerr,
Archibald,	Kilam,
Aylmer,	Kirk,
Bain,	Laflamme,
Bernier,	Lajoie,
Biggar,	Landerkin,
Blain,	Langlois,
Blake,	Laurier,
Blanchet,	Macdonald (Centre Toronto),
Bolduc,	Macdonald (Inverness)
Borden,	Macdougall (East Elgin),
Borron,	McDougall (Renfrew)
Bourbeau,	MacKay (Cape Breton),
Bowman,	McKay (Colchester)
Boyer,	Maekenzie,
Brouse,	McCraney,
Brown,	McGreery,
Buell,	McIntyre,
Burk,	McIsaac,
Burpee (St. John),	McNab,
Burpee (Sunbury)	Malouin,
Carmichael,	Masson,
Cartwright,	Metcalfe,
Casey,	
Casegrain,	
Charlton,	

MR. MASSON.

Cheval,	Mills,
Church,	Mitchell,
Coffin,	Oliver,
Cook,	Palmer,
Davies,	Paterson,
Dawson,	Pettes,
Delorme,	Pope (Compton),
Desjardins,	Pope (Queen's, P.E.I.)
De St. Georges,	Ray,
Devlin,	Richard,
Domville,	Roscoe,
Dymond,	Ross (East Durham),
Ferris,	Ross (Prince Edward)
Fleming,	Roy,
Flynn,	Rymal,
Forbes,	Scatcherd,
Galbraith,	Seriver,
Geoffrion,	Shibley,
Gibson,	Short,
Gillies,	Sinclair,
Gillmor,	Skinner,
Goudge,	Smith (Peel)
Greenway,	Smith (Westmoreland),
Guthrie,	Snider,
Hagar,	St. Jean,
Hall,	Taschereau,
Holton,	Thompson (Haldimand)
Horton,	Trow,
Huntington,	Wallace (Albert),
Irving,	Wood,
Jetté,	Yeo,
Jones (Halifax),	Young.—144.

## SUPPLY.

House again resolved itself into Committee of Supply.

## VII.—LEGISLATION.

41. Salaries and contingent expenses of the Senate..... \$51,518

MR. MITCHELL said he was strongly in favour of the Senate, of the action of which he had good reason to be proud during the past few years; but he, nevertheless, would like to know why an increase of \$600 was proposed in this item?

MR. CARTWRIGHT said that the Senate had applied, through the Committee on Contingencies, for one additional page, at a cost of \$150, and one additional messenger, at a cost of \$250, while the item concerning unforeseen expenditure was increased from \$4,600 to \$4,800. The appointment of a house carpenter was also asked for, but this would not increase the expenditure in any way.

MR. TUPPER: There was a considerable increase from the year before.

MR. CARTWRIGHT: I think not considerable; but there was some increase. We have very little power of controlling this item, for obvious reasons.

**SIR JOHN A. MACDONALD:** Is the house carpenter under the charge of the Board of Works?

**MR. MACKENZIE:** No.

**SIR JOHN A. MACDONALD:** Then he ought to be.

**MR. MACKENZIE:** He never has been. The Public Works Department takes charge of any alterations or any extensive repairs to the buildings proper; but everything connected with the desks, the upholstering of seats, and the mending of furniture is done by the house carpenter, who also has charge of the laying down of the matting and the oil cloths, and all kinds of work of that kind. Mr. Sinclair, the house carpenter, has been here since the beginning, and he is very efficient. These matters are now much better attended to than could possibly be the case if it were necessary to send requisitions to the Public Works Department.

**SIR JOHN A. MACDONALD:** I am aware of the irregular practice which has prevailed respecting the charge of these buildings; but, as I urged last Session, or the Session before, the Government should assume the whole charge of these buildings, and the house carpenter ought to be an officer responsible to the Government and the Department, and the Department to Parliament. This is the English and correct principle, as I think the hon. gentleman will admit.

**MR. MACKENZIE:** I quite admit it.

**SIR JOHN A. MACDONALD:** Because it is the duty of the Government to furnish a fit place for Parliament to meet the Sovereign in; but in the Parliament House in England the very slightest change is made under the responsibility of the Government.

**MR. MACKENZIE:** I think that we hold the Sergeant-at-Arms responsible for the furniture and the charge of these buildings and the house carpenter, who is under his orders. I believe this work is done as well as it could be possibly done under the direct supervision of the Department of Public Works. I admit that it is better to concentrate everything of that kind,

but it is found in practice really convenient to have the house carpenter at the command of the Sergeant-at-Arms.

**MR. MITCHELL** said he quite agreed with the views of the right hon. member for Kingston on this point.

*Vote agreed to.*

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

## After Recess.

### HOUSE OF COMMONS.

42. Salaries, per Clerk's Estimate ..... \$60,100

**MR. CARTWRIGHT** said there was an increase of \$250, which was accounted for on page 31. In the first place, the office of Assistant Accountant had been abolished, but, on the other hand, it had been found necessary to appoint an additional French translator, in order to expedite the translation of documents. Of three junior clerks included in the last item, it would be found that one had been promoted to be a bookkeeper, with a salary of \$1,000, and the salaries of the two others had also been increased. It was proposed also to raise the salary of the assistant French Journal clerk from \$800 to \$1,000, and an increase of \$150 was granted to the assistant clerk of Votes and Proceedings. These were the only alterations, except a small increase to the clerk of the Public Accounts Committee, whose salary was raised from \$1,100 to \$1,200.

**MR. LANGEVIN** asked if the bookkeeper's appointment referred to was a new office.

**MR. CARTWRIGHT** said it was not exactly a new office, as no increase had been made in the staff. The only addition was the appointment of an assistant French translator, who was required under any circumstances.

**MR. LANGEVIN** said he admitted there was a necessity for an additional French translator. The work in that Department, he said, had been more satisfactorily performed this year than

he ever remembered it to have been before, and he thought that in comparison with other employes, the officials in this Department were not sufficiently well paid considering the superior attainments which it was necessary they should possess.

Mr. SPEAKER said there had been a slight increase in the salaries last year; but, on the whole, the salaries had been very much reduced during the last few years. The gentleman who was appointed book-keeper was doing the work which was divided amongst three different officers, and his predecessor in that position had been superannuated for very substantial reasons. On making enquiry, he found that the expenditure for the staff of the House of Commons to-day was very little greater than the expenditure under the old Legislative Assembly of Canada twenty years ago, when there were but 82 members in the House.

Mr. MITCHELL: There was a great deal of corruption in those days.

Mr. SPEAKER said he would refrain from instituting comparisons in that respect at present. He believed there was no corruption in the House now, whatever there might have been then. It was considered desirable to keep this branch of the service within very narrow limits. On taking charge of the Department he found that the salaries of some of the superior officers were very low, having previously been reduced on the recommendation of the Committee on Contingencies. A motion was passed in the House after he became Speaker directing the Commissioners to enquire into the amount of remuneration paid to the permanent staff of the House, and expressing the opinion that their salaries should be increased. That enquiry was accordingly made and the salary of the Clerk of the House, which had for a time been reduced, was placed at the same figure as it had been at for twenty years. The salaries of other officers were increased, but notwithstanding that, the expenditure was less than it had at one time been, because offices which it was not deemed necessary to fill up were left vacant. Amongst these were two offices worth respectively \$2,000 and

Mr. LANGEVIN.

\$1,100, and by increasing the salaries of efficient officers, the work was done much better. He was glad to learn from the hon. member for Charlevoix that the French translating department was in so satisfactory a condition, as that was a point of which he had long been anxious to be assured, not having so much practical acquaintance with the subject personally as he could wish. He agreed with the hon. gentleman in thinking that the French translators were not sufficiently paid, considering their acquirements. The staff of sessional clerks in that department had been somewhat increased in consequence of a resolution come to two years ago, requiring that the translation of Private Bills should be made in the department officially, not as formerly by paying fees, but by the officers of the House, and that any fees paid therefor should go into the general fund. It would be found that a somewhat larger number of general sessional clerks had been employed last year because four of the permanent staff were unable to attend to their duties in consequence of sickness, and also because it was deemed advisable to copy returns coming down to the House to prevent their going astray, and leading to those recriminations which were so common formerly. In the department presided over by the Sergeant-at-Arms, the staff of messengers and pages, there was one less employé than in 1873, while the expenditure was about \$1,550 or \$1,580 less than 1875. On the most careful scrutiny of this department it would be found that while encouragement was given to deserving officers, the number was kept within due limits.

Mr. BLANCHET said it would be well to place before the House a list of the officers employed in the beginning of each Session.

Mr. SPEAKER: There can be no objection, if it is the wish of the House. Nothing of the kind was done in the past.

Mr. BLANCHET: It was asked for last year.

Mr. SPEAKER: Not till it was too late. A number of sessional clerks and others are not employed till a few

weeks have elapsed, and very rightly so, because the Parliamentary business is light till then and it is difficult to furnish a list early. I might refer again to the point raised by the hon. member for Charlevoix, as to the salaries of sessional clerks in the French translating Department, I may state that I do not consider \$5. a day sufficient, while other sessional clerks get \$4. We have, however, engaged some young men to whom we pay \$4 a day, so that there is gradation in remuneration as well as in quality of work.

MR. TUPPER enquired why there was such a large increase in the expenses for extra sessional writers, clerks to select Committees, witnesses and shorthand writers. There was an increase from \$8,500 to \$10,000, and as far as his observations went, there was not likely to be anything like the demand for these extra servants and shorthand writers as there was during last Session.

MR. SPEAKER said these estimates were made up by the Clerk of the House before the commencement of the Session. Last year a very large number of Committees were held, and a very large number of witnesses and shorthand writers had to be paid, and the clerk assumed that this being the last Session of the Parliament there would again be a large number of Committees.

MR. LANGEVIN said Mr. Speaker did not say that the \$8,500 proved insufficient, and yet \$1,500 more was asked for. If the last year's vote had not been sufficient the deficiency should have appeared in the Supplementary Estimates.

MR. SPEAKER said he had already explained this. More had been asked for because the Clerk thought more would be necessary. The estimate was mere guess work; it was based on the expenditure of last year, and the Clerk having found himself run close last year, had, he supposed, decided to ask for a larger sum in consequence. His own impression was that \$8,500 would be quite enough, but before the commencement of the Session, there was no means of arriving at a conclusion with regard to it.

MR. CARTWRIGHT said there was no objection to make it \$8,500. He might remark that he had already cut this item down.

MR. MITCHELL said he did not desire to find fault with the Clerk, but he would say in relation to these Committees, that there was a great deal of useless expenditure on witnesses, and special clerks and shorthand writers. There were too many of these investigations, and a great many of them resulted in nothing. Some had resulted in something, but there was, no doubt, too much of it, and the Government should take the matter into its special consideration, with a view to a reduction of this expenditure.

MR. KIRKPATRICK said he coincided with the remarks of the hon. member for Bellechasse who said it was desirable that a statement of the number of clerks, and especially of the extra or sessional clerks, should be laid on the table of the House in the early part of every Session, so that, when discussing this item, the House might know something of the requirements of the service. He would like to ask if the hon. the Speaker could state the number of extra writers employed this Session.

MR. SPEAKER: I really cannot tell the exact number. There are more than last year, for the reasons I have stated.

MR. KIRKPATRICK said he had before him the report of a Committee appointed in 1868, to consider the requirements of the House, and they appeared to have gone very fully into the matter. They reported that the number of extra or sessional writers should not exceed ten. At that time a large amount of business arose out of the great number of Election Committees. All this now was transferred to the Courts of Justice, and that ought to represent a great saving in the number of extra clerks required, instead of which the number had increased, and last year it was 30. He thought there would be difficulty in finding work for so many. He hoped this vote of \$10,000 would be reduced.

MR. BLANCHET said he noticed that some of the French translators

were paid \$5 and others only \$4 a day. He should like to know why such a difference was made.

MR. SPEAKER said the translators were appointed at \$4 a day, the salary of ordinary sessional clerks, and if they were found thoroughly well qualified for the work of translators, the salary was increased to \$5.

MR. DELORME said the French translator only received \$1,000 a year, while his predecessor received \$1,200.

MR. SPEAKER said it was customary to pay a junior official a less amount than a senior.

MR. BOWELL said he thought it was a good suggestion that a return of the number of clerks employed in the House should be laid before the House early in the Session, and he would suggest that there should be added to it a return of the parties by whom these appointments were recommended. The hon. the Speaker had certainly done this Session what had not been done before; he had certainly kept these clerks employed and out of the lobbies. He thought, if the hon. the Speaker could lay before the House all the names of persons who had recommended appointments and almost forced servants upon him, there would be a less number of such appointments made. The amount had increased from \$208,913, asked in the Estimates for 1873-'4, to \$296,768 asked in the present Estimates. He was aware that the principal items in which an increase had taken place were printing paper and bookbinding, which had run up from \$35,000 to \$70,000. The item under consideration at the present time for salaries per Clerk's estimate was \$60,000. For the same item in 1873-'74 the sum asked was \$77,000, which appeared to be \$17,000 more than was now asked for; but in the estimate for 1873-4, were included present votes 42, 43, and 44, namely: salaries, per Clerk's estimate \$60,100; expenses of Committees, extra sessional clerks, etc., \$14,500; and contingencies, \$19,600, making the sum this year \$94,000, an increase of \$16,000 or \$17,000 over the amount asked for the same service in 1873-4. These esti-

MR. BLANCHET.

mates, at least, did not show the great decrease referred to by Mr. Speaker, had taken place. It was not his province to discuss the capabilities of the French translators. He agreed that a good servant ought to be well paid; but he thought it a bad principle to put three or four men into one place to do the work of one or two men. The translation of the debates of the House had been thrown upon the permanent translators, and it was well known that if a man worked after hours to do special work, he was likely to slight his regular work. He thought it was a mistake to put that work on the official translators. A great deal had been said in the different pic-nic speeches of hon. gentlemen opposite, in reference to hon. members of this House, and some of them, Ministerialists, had gone so far as to charge hon. members on the Opposition side with occupying positions similar to those occupied by the gentlemen who had to resign their seats and go back to their constituents. So far as one hon. gentleman was concerned, that was not correct, and when the Premier stated that a certain hon. member on the Opposition benches occupied the same position as those to whom he had referred in reference to the disqualification which arose out of the infringement of the Independence of Parliament Act, he stated that which was not borne out by the facts, nor by any documents he had in his possession.

MR. SPEAKER said he believed it was true that the French translation had, for some years past, been almost always in arrear; but he had to depend, to a great extent, upon the report of the head of that Department in reference to that matter. To make the work efficient, they had to employ additional translators, as it rarely happened now that a paper was printed in French in the first instance. It had not been by the action of the Commissioners that the translation of the *Hansard* had been imposed upon the translators, but upon the recommendation of the Printing Committee, and with the approval of the House. In regard to the question of the permanent staff, the reduction in the Accountant's office



had been carried out in other Departments. Instead of bestowing some very desirable patronage, they had kept the same officers, gradually increasing their salaries and grade, so that they might feel that, as they deserved an increase of salary, they would be likely to receive it. In 1868 the members from the Lower Provinces were astonished at the amounts paid for salaries here, and demanded retrenchment. The result was that the members from the older Provinces carried the thing so far that the reduction in the expenditure could be maintained but for a very short time. The reduction was brought about to a great extent by a want of knowledge and experience. In the Department of the Sergeant-at-Arms, a large portion of the expenditure was for carpeting and repairs to furniture and oil-cloth and matters of that kind. This year there had been an increase in the number of sessional clerks, because four of the permanent officers had been disabled and their places had to be taken by sessional clerks. In addition to that the Clerk had thought proper, very rightly, that the originals of all papers should be left in his custody, and that hon. members desiring to have copies should be provided with them. However, the whole expenditure on account of these clerks was comparatively trifling. It was true that none should be employed for whom there was no work; but the work of the House was of a very uncertain character. Sometimes the clerks could hardly do the work that was required of them, and at other times they were comparatively idle. It was necessary to have them there in order to prevent loss of time to Parliament itself.

MR. BOWELL said the Speaker could scarcely have known who composed the Committee to whom was referred the settlement of the number of employes. The Hon. H. L. Langevin was the Chairman of that Committee, and certainly no inexperience could be attributed to him.

MR. SPEAKER: But he knew very little of the people of the Lower Provinces then.

MR. BOWELL said there was, therefore, no foundation in the argument

advanced by the Speaker, for he had known the feelings of the people of the Lower Provinces, he supposed he would have cut down the number still more. But, as an old parliamentarian, he must have had good reason for moving the adoption of the report of that Committee. He (Mr. Bowell) was not aware that it was necessary to have a larger staff to keep this building clean now, than there was three years ago.

MR. CARTWRIGHT said he would move in the 43rd resolution to reduce the sum to \$12,800. He could not say whether that would prove sufficient, but it was clear it would be very easy for the next House to supplement it in good time, in case it was not enough.

MR. LANGEVIN asked, before this was carried, that the hon. the Speaker be requested to lay before this House a statement of the number of clerks employed last year, and those employed this year.

MR. CARTWRIGHT said he would bring it down on Concurrence.

MR. MITCHELL said he saw in the list \$1,100 for superannuations. He would like to have a list of these officers, and he would like to see who were going to be superannuated during the coming month or two. He had heard the names of officers bandied about as gentlemen likely to be superannuated, who were well qualified to retain their places, and who would be replaced by others not possessing the peculiar abilities and requisite experience to fill those offices.

MR. SPEAKER said, with regard to his Department, no superannuation had been made from political motives. There had been only three superannuations since his time.

MR. BOWELL said he did not see why the employes of this House should have their superannuation fees paid by the country, instead of being deducted from their salaries, as was done with the Civil Service employes.

MR. CARTWRIGHT said this had been introduced many years ago, and had, by lapse of time, become, to a certain extent, a part of the salaries of those officials.

Mr. WALLACE said the whole system of superannuation was wrong. He saw no reason why civil servants, like other people, should not be called upon to make provision for their old age, especially as they obtained regular salaries, and were as well, and perhaps better, paid than the same class outside the service.

Mr. McDUGALL (Renfrew) said there were two points involved, first, the policy of superannuation, and second, the anomalous position of the amount voted for the officers of the House. He would not say the amount should not be allowed the employes of the House, but if it were necessary it should be done by increasing the salaries and should not appear in its present shape in the Estimates.

Mr. BABY said it must be remembered that employes of the Civil Service occupied a different position from persons in different walks of life. No doubt they were frequently very anxious to obtain the positions to which they were appointed, but in those positions they were compelled to give their whole time to the work and could not engage in other pursuits. He held it was but fair that a public officer after 40 years' service should receive a pension, which was the practice followed in every country. In order to obtain efficient civil servants they must be properly paid, and provision made for their old age; and the country would not grudge the few thousand dollars expended for that purpose. What the people did not like was, that certain officers should be superannuated for political purposes. Very often, in order to make a place for a political favourite and so meet the pressing demands of a partizan, a good servant was removed and another appointment made. That was done by means of the superannuation fund.

Mr. PLUMB said he could not see any possible objection to the superannuation fund, but the question to be discussed was whether the superannuation fund of the clerks and employes of the House should be placed on a different basis from the fund provided by other employes of the Civil Service. He differed from the argu-

ment advanced by the hon. members for North Hastings and South Norfolk. He thought it was very desirable to keep up the tone of the Civil Service and to draw the best men into it; and in order to do that, the prospect should be held out that they would, in some degree, be provided for after they had ceased to be able to fulfil their duties. The great evil which they had to complain of was in the administration of the superannuation fund. He knew cases in which great hardships had occurred—he did not say they had been inflicted intentionally by the Government—which should not have taken place in the administration of the fund. That fund was a sacred trust, it was one supported by the civil servants themselves, and never should be administered to their disadvantage, or in an unjust manner, as he knew it had been. He was able to cite cases which would fully bear out that statement. It was exceedingly desirable that the civil servants should be kept pure, that they should have no temptation to embark in other pursuits secretly, or to attempt in any way to make money out of their offices; and the manner in which the superannuation fund had been distributed had tended to demoralize the service in the same way that the American system of the rotation of officers at the end of every election had tended to demoralize the service there. The Canadian Civil Service had been, so far as he knew, an exemplary one. The officers had been, as a rule, men of very high character and above reproach; but if they felt that they held their positions at the whim, caprice, or something worse, of the Government of the day, one of the great bonds which held the men together, and kept them as they were, would be broken. No officer in the public service should be superannuated except from incapacity through old age, or from incapacity through illness; and, in either case, there should be ample evidence adduced before that step was taken. It was perfectly certain there had been superannuations when no investigations had been made. He knew a case where a man who was perfectly competent to do his work and against whom no shadow of a complaint rested, was superannuated a short time

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ago on 40 per cent. of his pay. Another appointment was made, and, therefore, the Government, not only did the officer a great injustice, but added 40 per cent. to the expense. There was no examination in that case. He was not charged with having done anything wrong, because, if such were the case, the Government had no right to put him on a retiring allowance, but must dismiss him. That was one case out of a hundred, perhaps, of the same character. He believed the superannuation fund was a salutary institution, one which tended to keep up the *esprit-de-corps* in the Civil Service, and gave them some hope that they would not be thrown on charity when they were unfit for service; but the moment it was improperly administered it lost all its beneficial effect. And there were cases which might be brought to the cognizance of the Government, particularly in the Customs Department. The case to which he had referred had occurred in that Department, but he did not think it was ever brought under the notice of the hon. the Minister of Customs, because he did not believe the Minister would sanction the hardship imposed. He could give the hon. gentleman the names and particulars. The members of the Civil Service were not too liberally paid, and Parliament should do all that was possible, not only to make the service respectable, but to enable the Government to secure the most efficient men of the best character with the highest qualifications.

Mr. SMITH (Selkirk) said it would be very much better for the Civil Servants themselves, that they should be liberally paid while in office, and not be superannuated. It would materially tend to develop habits of economy if the officers knew they must depend on their savings, while they held their positions, to make provision for old age. If they were prudent they would be able to provide for themselves equally as advantageously as under a superannuation system. While occupying positions, they should be liberally paid; but, at the same time, none should be kept in office who were not efficient.

Mr. BURPEE (St. John) said that any superannuation in the Customs

Department that had taken place last year, was made in the public interest. If names were given, he would furnish particulars in the cases.

Mr. PLUMB said he would give the hon. gentleman the information in due time.

Mr. DESJARDINS said he could not agree with the view taken by his hon. friend from Selkirk on this question. The superannuation policy was in the interest of public service as well as in that of the public officers themselves. By providing for a *fond de retraite* in their favour, the Government was obtaining, as it were, a guarantee that these officers would attach themselves to their positions, and give to the country the benefit of the experience of long years passed in public service. As to these public officers, their salaries, whatever might be said to the contrary, were not at present so high as to render the economies suggested by the hon. member for Selkirk at all easy. It was well known, in fact, that the exigencies of their positions, and all the obligations which they were forced to meet, to place themselves in a proper position with regard to the social status which their employment called for, rendered it very difficult for them to even make the restricted remuneration which most of them received, meet their unavoidable expenses. He, therefore, believed that the Government did a paternal act in providing for these officials, and in providing for them a retiring fund which would be given them when age and infirmities prevented them from performing for the country the services which their present employment required.

Mr. BÉCHARD said that the salaries given to these officials were high enough to enable them to economise, with a view to old age. These persons were not pressed into the public service; on the contrary, on each occasion when such a position became vacant, there was a swarm of applicants for it. If a pensioning system existed, the officers themselves should take the initiative with regard to it.

Mr. PLUMB said he would name John Hall and Mr. Yarwood in this relation. Both were cases of extreme hardship.

MR. BURPEE said that Mr. Yarwood, of Chippawa, during the last six years, if he took this man's own letters for it, had not been in good health. During the last four years he thought that Mr. Yarwood had, on four or five occasions, obtained leave of absence, some for a long time, on account of ill health. The Inspector had several times reported in favour of his superannuation. At this port the Collector had a great deal of outside service, which this man could never have attended to during the last ten years. It was in the interest of the public service that this officer should be superannuated. A new officer had not been appointed in his place, but an officer from a port on Lake Erie, where he had nothing to do and a salary of \$550, had been removed to this place, with the same salary. Mr. Yarwood had obtained \$875. He thought that what had been done was clearly in the interest of the public service. Mr. Hall, of Niagara, was over 60 years of age, and there was no necessity in the world for two officers at this place. When Mr. Kirby was appointed, he considered that the two officers were not required. In both cases it was in the interests of the public service that changes should be made.

MR. PLUMB said that, if Mr. Yarwood did not attend to his work, the Government should not have given him a pension. The Superannuation Fund should not be charged with the support of an incompetent person. This was what he complained of. Mr. Hall was now as able to do the work as ever he was. He knew Mr. Hall perfectly well. Mr. Thomson was also employed at this place. Mr. Kirby had never undertaken to do the work of both the office and landing at Niagara. Because a man obtained leave of absence, this was no fault of the officer, and no ground for superannuation. The action of the Government in this particular had been very unjust. Mr. Yarwood's case was one of extreme hardship. He was acquainted with the facts. Mr. Thomson was put in Mr. Hall's place; and there were one or two applicants who expected to get Mr. Hall's office. A little delay had occurred in this re-

MR. PLUMB.

spect, because it was impossible to fill the appointment without offending certain persons on the eve of the election.

MR. BURPEE said that the principal object they had in view was the abolition of both offices. Again, Mr. Yarwood was in ill-health, and both Mr. Hall and Mr. Yarwood were fit objects for superannuation. Mr. Harvey was employed after this Government had come into power, and he had been kept there ever since. Mr. Thomson worked in the summer on the boats, and in the winter his services were utilized, if necessary, by the Government.

MR. PLUMB said that he knew the facts; and both were cases of very great hardship, as he could show.

MR. MITCHELL said that the House was paying for the superannuation of its servants, while the principle was not adopted with regard to other public servants. This was wrong; all the employes should be treated alike. The principle to which he objected had not been adopted seven or eight years ago, but in 1873-4. This anomaly should be removed. He desired to see fair play.

*Vote agreed to.*

45. Publishing Debates.....\$15,000.

MR. MASSON said that, as this subject was to come up in a few days, the consideration of this item had better be postponed.

MR. TUPPER said it had now better pass and be dealt with on concurrence, when it could either be retained or omitted.

MR. MITCHELL said he had heard that the abolition of *Hansard* was mooted. He was strongly opposed to such a proposition.

*Vote agreed to.*

45. Salaries and Contingencies per Sergeant-at-Arms Estimates.... \$28,050

MR. CARTWRIGHT: A reduction of \$800 on this item has been effected by the removal of one permanent messenger.

MR. MITCHELL: Is it the intention of the Ministry to take up and

deal with the superannuation question? All the officers of the country should be placed on the same footing.

MR. CARTWRIGHT: I do not think that we shall propose to extend this privilege to the other officers of the country. It is perfectly in the power of the House to deal with its own servants as it sees fit.

MR. MITCHELL said that they all knew this. If the Government would take no action, the onus of it would fall on the Opposition, or on independent members of the House. He would endeavour to take the constitutional course of dealing with it.

MR. MACKENZIE said that this matter had never been discussed until that evening.

MR. BOWELL said it had been mentioned almost every year.

MR. MACKENZIE said he did not recollect it. The hon. gentleman (Mr. Mitchell) was a member of the Government which began this system, and he ought not to be very pronounced in his determination as to what ought to be done the very first evening of the discussion. His attention had not been directed to this matter until this evening. The hon. the Finance Minister had meant that this was more a domestic matter than almost anything else, as the House exercised a close surveillance over its own affairs. The Committee which the hon. member for Charlevoix presided over in 1868, was a Committee appointed by the House to supervise and correct the salaries as they then existed.

MR. BOWELL: It was a Standing Committee of the House.

MR. MACKENZIE said it was a Government Committee, which was specially instructed to go on with this business, and it presented a special report, which was discussed, and the recommendation adopted. The hon. member for Northumberland had raised a point which would no doubt be important to every one in the House as well as the Government; but he could hardly expect that the Finance Minister would be prepared at once to

adopt his views, or give a decided opinion as to what ought to be done in the matter. Unquestionably, they had a right to reduce the salaries if they pleased; but would it be fair or just to do so? Some degree of consideration for them should be exercised, and an impartial enquiry should be made into the matter. No doubt the same rule which applied to one branch should apply to all the other branches of the public service; still, there were some officers, including the engineers for public works, who were not included in this superannuation fund, because they were not considered permanent, though, to all practical purposes, they were as permanent as other officers. These anomalies might almost be called the curiosities of the service, and they should be seriously considered with the view of introducing a general reorganization at a future date, when all the officers might be placed as nearly as possible on an equal footing.

MR. MITCHELL said the hon. the Premier was mistaken in saying that the subject was introduced by him (Mr. Mitchell). He certainly, however, had spoken with regard to it after it had been introduced by another gentleman. He accepted the statements made by the Premier frankly, as they were put forward, and hoped the grievance complained of would be rectified.

MR. BLANCHET said he did not think there would be much opposition to this item; at the same time he was glad the Government had assumed the responsibility of the vote. He would not discuss the law of superannuation, which was a very beneficial one, and must commend itself to all. The public certainly could not complain of a man receiving superannuation after, perhaps, thirty years' service, when he had regularly contributed to that fund out of his own salary for many years.

MR. BOWELL said the hon. gentleman's whole argument referred to those from whose salaries deductions were made for superannuation, but that had nothing to do with the class of cases under consideration, which, to all intents and purposes, was one of pensions. The system which prevailed at present of placing the management of the House in the hands of the Speaker and

four members of the Privy Council was the same as that in England; but, if an hon. member, at any period of the Session, desired a Committee to investigate the affairs of the House and see whether some reduction or advance which the Commission had not taken into consideration should not be made, his request was generally granted.

MR. BLANCHET said he understood the difference between the cases, and he was glad the Premier had undertaken the responsibility of this special matter, because this was not a case in which superannuation was to be maintained out of the salaries of officers generally.

MR. CARTWRIGHT said that, on the 18th June, 1872, the then authorities resolved "that all the salaries shall be paid to the officers and servants respectively without any deduction for the Superannuation Fund, and that the charges of 4 per cent. per annum required for that fund, shall be paid by the accountant extra the pay." That resolution was carried into effect, though it only appeared in the Estimates for 1873-4, and continued in force up to the present time.

MR. LANGEVIN said that concession was made because the officials of the House did not participate in the bonus given in the form of increase to other public servants.

MR. MACKENZIE: No bonus was given.

MR. CARTWRIGHT: No; not in 1872.

MR. LANGEVIN said he meant 1873-4. The salaries of the officers of the House were, in 1870 or 1871, reduced by the Committee of Contingencies, of which he was Chairman, and, in some cases, these salaries were reduced by 25 per cent. It was subsequently resolved that, in their case, this remission of 4 per cent. should be allowed; afterwards that was reduced to 2 per cent., the Government taking the responsibility of the measure. He was in favour of a superannuation allowance being given to all public servants, because it was an incentive to them to perform their duties faithfully. If Judges, after holding office for twelve or fifteen

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years, received two-thirds of their salaries—in some cases as much as \$4,000—surely a person who had been in the service of the Dominion for thirty years, was entitled to some small superannuation.

Vote agreed to.

47. Grant to Parliamentary Library, including \$3,000 for Law Books ..\$10,000

In reply to Mr. LANGEVIN,

MR. CARTWRIGHT said he could not tell for how many years this grant of \$3,000 for law books would be required; that would be a question for the legal members of the House to decide. He understood that a considerable number of law books was wanting to make the library as complete as it ought to be for general convenience. He thought that vote would have to be *in perpetuo*, or at least for many years to come.

MR. BABY said the vote of \$3,000 should be continued for some years on account of a deficiency which still existed in the legal part of the library. For a number of years that portion had been completely neglected, and a Joint Committee of the House and the Senate came to the conclusion that means should be found to purchase certain books necessary to complete the library. Of course, that could not be done in a single Session, and the vote would have to be spread over a certain number of years.

MR. LANGEVIN said the library was very deficient in certain books—the statutes of the Dominion for example—which, although sought for repeatedly, could but rarely be obtained. Another point in which the library was deficient, was in legal text-books. He thought that for the purpose, of reference two copies of these text-books should be provided.

MR. BABY said it very often happened that members obtained books from the library and neglected to return them, so that it might happen that, although in some instances there were five or six copies of the same work, not one of those copies could be found in the library.

MR. JONES (South Leeds) said that he thought other interests, as well as

those of law, should be well represented in the library. He had occasion to refer to an agricultural work which had been published for a great number of years, but found that the work had not been purchased since 1873, and he desired to see the volume for 1877. He thought that the library should contain more text-books with reference to agriculture.

MR. BLANCHET said he knew it was a difficult matter for the Library Committee to please all in their selection of books but, generally speaking, on all branches of literature, science and art, we had a fine library. The members of the House generally had several times been invited to offer suggestions as to what books should be purchased, and such a case as that referred to by the hon. member for Leeds could easily be remedied.

MR. MASSON said he agreed with the hon. the Finance Minister that the library should be as complete as possible, but there was one branch which was a particular feature in other large libraries that was here wanting, viz.: manuscripts, of which there were few in this library. There were a number of valuable and interesting manuscripts in the various Departments, and if room could not be found for them in the library, or if Government objected to the documents being removed, a good catalogue of the information they contained should be found in the library. As to agricultural books, he thought they had as good a collection as could be met with.

MR. CARTWRIGHT said, perhaps, it would meet the views of the hon. member for Terrebonne (Mr. Masson) if they had a good catalogue made of these manuscripts; and, secondly, as undoubtedly some of them were of value, these might be duplicated by one of the officers of the library. He was afraid that, as matters now stood, the amount of space at their disposal was getting so limited that these manuscripts to which the hon. gentleman referred, could not be stored in the library if they amounted to any number.

MR. BABY said greater care should be taken in the purchasing of books.

The librarian seemed to leave it entirely to the printers and publishers, and his correspondents in London, Edinburgh, and elsewhere, and many of the books now in the Library were completely worthless.

MR. MITCHELL said he would like to know whether this estimate of \$3,000 for law books was to be put upon the country year after year; whether it was put in by the Library Committee, and on what authority, and whose advice they expended that sum.

MR. MACKENZIE said it was not the Committee, it was the Librarian, and of course he had immediate means of becoming aware of the views of the Committee during the present Session, and was also made aware of the deficiencies by the Judges connected with the Supreme Court, and other legal authorities. In that way he was enabled to make an estimate of the proper amount required to find the books that were still required to complete a good legal library. It was a matter of the utmost importance, that in a country where there were few other large libraries, there should be a good library in the Parliament Buildings. In Toronto there was an exceptionally fine law library at Osgoode Hall, superior, as yet, to the one here. It was important that they should have in the Parliamentary Library all the text books, law reports, and other legal books which were constantly required in reference to cases which were to be tried before the Courts. That large amount would not be required after next year, and the law library, with the exception of the current law literature, would be complete.

MR. PLUMB said it was complained that the library did not supply sufficient accommodation, and yet ephemeral works of fiction, by authors who had never been heard of, were allowed to accumulate. He thought greater discrimination should be exercised in the choice of books.

MR. LANGEVIN said that, in the days of the late Administration, they had the whole French archives from 1871, and these might be collected with the manuscripts to which the hon. member for Terrebonne (Mr. Masson)

had referred. And if they could not be placed in the library, "perhaps a large room might be found for their reception in the western block. He might add that it had been suggested to him that the library was deficient in medical works.

*Vote agreed to.*

48. Salaries of officers (additional) and contingencies of library 1878-9.....	\$5,000
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Mr. CARTWRIGHT said this increase of \$1,500 was required to provide two additional messengers, who were paid a somewhat larger salary than ordinary messengers, as they were employed to some extent in a literary capacity, having occasionally to discharge the duties of the other officers when absent.

Mr. LANGEVIN said he had frequent occasion to refer to the officers of the library, and found that they performed their duties with great care, and it would be difficult to find a better staff.

*Vote agreed to.*

49. Printing and binding and distributing the laws.....	\$12,000
50. To meet the estimated expenses in connection with consolidation of the laws.....	\$8,000

Mr. LAFLAMME said the gentleman who had been connected with the consolidation of the Statutes of Ontario had been selected by the Department to prepare the work of consolidation of the Statutes of all the Provinces.

Mr. LANGEVIN: Who is he and what is his salary?

Mr. LAFLAMME: Mr. Lancton, Toronto.

Mr. BLAKE said he had made the arrangements. Mr. Lancton would be paid at the same scale for the same services which he had performed for Ontario. He was paid, if his memory served him right, at the rate of \$4 per day; six hours work to constitute a day. His salary for continuous service would amount to about \$1,200 per year.

Mr. LANGEVIN.

51. Printing, Printing Paper, and Book-binding.....	\$70,000
52. Contingencies of the Clerk of the Crown in Chancery.....	\$1,200
53. Miscellaneous Printing.....	\$2,000

VIII.—ARTS, AGRICULTURE AND STATISTICS.

54. To meet expenses in connection with the care of the Archives.	\$3,000
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Mr. BABY said there were in the British Museum and in the Marine Department in Paris large and interesting collections of manuscripts with respect to the early history of this country. In the State Libraries of Boston, New York and other cities, copies of some of those manuscripts were found. The Canadian Government had sent two officers—one to England and the other to France—to ascertain what would be necessary to be copied, and they had made very valuable and interesting reports, which had been laid before Parliament. At his (Mr. Baby's) suggestion, the hon. the Minister of Finance had promised that a certain sum should be set apart and gentlemen appointed to visit the British Museum and the Marine Department at Paris to obtain copies of those manuscripts. The most valuable collections were the "Dorchester papers" and another batch of papers which related to the early constitutional history of English rule in this country. He hoped the hon. Minister would be able to promise that an officer would be sent out during next summer to make such selections as were necessary.

Mr. CARTWRIGHT: I understand from the hon. Minister of Agricultural and Statistics that a very considerable quantity of documents is expected to arrive within a few days. I understand him to say they have been prepared in Paris by one of the gentlemen to whom the hon. member had referred. I also understand that copies are at this moment being made both in London and in Paris, I presume, of some of the documents the hon. member has just alluded to. There can be no doubt, as I have more than once stated, that it is very desirable that we should have these manuscripts in our own custody. I know myself, having had occasion to make research of



documents from the period of the Treaty of Paris down to 1792, there is great difficulty in obtaining any reliable information, and that anything that will throw light on that period cannot fail to be, not only interesting but important, with a view to any future history of this country that may be compiled. The matter is in hands at this instant.

MR. LANGEVIN said that in addition to the valuable manuscripts mentioned by the hon. member for Joliette as being in the British Museum and at Paris, he understood that at Halifax there were very important documents relating to the early history of Canada under the French régime, and that if an officer were employed there during a few months, he would be able to prepare a valuable collection of manuscripts for the Parliamentary Library. If there was a special library for manuscripts, many persons in the different Provinces who possessed manuscripts would be willing to deposit them and hand them over to the Dominion. He (Mr. Langevin) had a valuable manuscript of the early history of this country under English rule, which he would be prepared to deposit, if such an arrangement were made.

Vote agreed to.

55. To meet expenses in connection with the organization of the Patent Record..... \$7,200

In reply to Mr. POPE (Compton),

MR. MACKENZIE said that \$8,000 was expended on the *Patent Record* last year. It had been found that the grant must be increased or the publication cease, which was not desirable.

In reply to Mr. LANGEVIN,

MR. CARTWRIGHT said the number of patents issued was 1,382 for the calendar year 1876, and 1,353 for the calendar year 1877.

MR. MACKENZIE: That simply means whether we will raise the price of patents or not. We cannot charge more than the law provides for.

MR. POPE (Compton) said that the price was fixed by law, and in accordance with a sort of reciprocity be-

tween this country and the United States and other countries; and the prices had been regulated accordingly. If they met people in the spirit they desired, they could not very well fix the price much above the price settled upon in these other countries.

MR. TUPPER said he did not understand that the object of this publication was to advertise patents for patentees.

MR. CARTWRIGHT: No.

MR. TUPPER said that its only object was to give information to the whole country, and to make inventors acquainted with existing patents in order that they might not uselessly waste their energies. He thought that it was also valuable in stimulating the inventive disposition which tended in a great measure to the production of labour-saving machines which were valuable to the whole country. He did not regard it as of service to inventors simply.

MR. POPE (Compton) said that a large amount of this expenditure was paid by fees. Last year 757 patents were taken out in the United States and 533 in Canada. In fact, the revenue derived from patents defrayed all the expenses of the *Patent Record*, and almost all the expenses connected with the Department of Agriculture.

Vote agreed to.

56. To meet expenses in connection with the preparation of Criminal Statistics..... \$5,000

MR. CARTWRIGHT said that this was provided for by the Act of 1875 or 1876. He fancied that very little of the vote had been expended in 1876-7.

MR. BLAKE said that the organization of this system took place in October before last. He thought that the expenditure would appear in the statement for this financial year. He believed that this money was not expended last year. October last would complete the first year. He thought that the Act provided for the return being laid before Parliament annually. He had been responsible for recommending the passage of the Act, and he confessed he did not anticipate any great results for the first year. Such

returns were very incomplete at the outset. Their plan was to arrange with such other Provinces as either had inaugurated or would inaugurate a system of statistics, and supply information as far as it went. A very satisfactory system existed in Ontario, and a tolerably satisfactory one, he believed, in the Province of Quebec. He could not say how this system had turned out.

MR. MACKENZIE said that the results had not been very complete; but it was hoped that, before Parliament rose, the Department would be able to place before the House the results up to a very late period. A good deal of difficulty had been experienced in getting the Act into operation, and it became impossible to obtain the information in such a shape that it could be presented to Parliament early in the Session; and it was not yet completed, though nearly so.

MR. LANGEVIN: What arrangements were made?

MR. MACKENZIE said that, in the first year, an elaborate table, giving the form the statistics should assume, was prepared, and communication was then had with the members of the Local Governments, and means were thus taken to secure the statistics required. All this had taken a great deal of time. Blanks had to be printed and distributed, and the returns, of course, for the first year, necessarily came in slowly. Many had to be returned, and more correct information obtained.

MR. LANGEVIN: Has a portion of this money to be paid to the Local Governments?

MR. MACKENZIE: Yes; certain fees are paid to parties who collect this information.

MR. BLAKE said that the Act provided for a scale of fees which might be paid to the officers with which the Government communicated directly. The Government could also pay a lump sum by arrangement to the Local Governments, to be expended in the same manner.

MR. TUPPER said he thought that this was the proper opportunity to draw the attention of the hon. the

MR. BLAKE.

First Minister to the great importance of extending this statistical system to other branches. He could not see why it was not equally important to have vital statistics relative to the proper registration of births, marriages and deaths, and the collection of other vital statistics bearing on the condition of the country. This was a matter of very great moment. He believed that a system of vital statistics, showing as it would the great salubrity of our climate, would be attended with great benefit, and be valuable in inducing people in other countries to take up their residence here. He also wished to draw the attention of the hon. the Minister to what he regarded as a distinct breach of faith on the part of the Government with the Province of Nova Scotia. This Province had provided by law for a system of birth, marriage and death registration, which was tolerably efficient at the time of Confederation. The collection of statistics, under the Confederation Act, was made the sole duty of the general Government, and in conformity with this provision, the Department of Statistics for Nova Scotia was transferred to the Dominion Government. This service was carried on under the late and the present Government. The latter, moreover, had superannuated the officer in charge of the Department and appointed a successor, who, a few years ago, was also superannuated, with two clerks. A heavy charge was thus made to devolve upon the country, and the work itself was abandoned and allowed to fall into desuetude. He thought that this was just ground of complaint, because he held that it was not within the right of the Government to dispense with a service provided for by law in any of the Provinces of the Dominion, and which, under the Confederation Act, devolved upon the general Government. The consequence was, that in the whole Province of Nova Scotia, at this moment, there were no means of collecting the registrations of births, marriages and deaths; and its people could not have recourse to records which were at that time connected with matters of the most serious import. He felt that he would not be discharging his duty if

he did not, on behalf of the Province of Nova Scotia, enter this complaint, and, as a member of the House, draw the attention of the Government to the importance of having some better system devised in order to deal with the very important question of vital statistics.

MR. MACKENZIE said that no one disputed the general proposition that it was extremely desirable to have a general statistical system. On the other hand, they had in Ontario a system of vital statistics carried on by the Local Government, and the Constitutional Act did not prohibit the Local Governments from doing this. In the Province of Quebec there was a parochial system of statistics under local authority. The system in Ontario was very expensive and complete. It took advantage of the municipal organization. In Nova Scotia such a system had been carried on to a certain extent, but it was of no use as it was. It had no counterpart in any other Province; and, while it was desirable to have a general system, it became quite clear that a general system of vital statistics could not be inaugurated without organizing the entire Dominion in such a way as would, certainly, cost a very large sum per annum; and the Government had felt that, at a time when the revenue was deficient, it would be improper to undertake a work which would cost, no doubt, not less than \$200,000 a year, to do it effectually, and probably a good deal more—probably a quarter of a million. In Ontario the system cost a very large sum. His impression was that the expenditure under this head was \$50,000 or \$60,000, but he did not know the exact figures.

MR. POPE (Compton): This system is very incomplete.

MR. MACKENZIE said that it was apparently complete, but in practical results, no doubt, it was very incomplete. It would require a largely increased expenditure to make the system as complete as was required. The chief difficulty was found in regard to enforcing it in the rural districts. Two years ago, the Local Government had taken larger powers in this relation, and, since then, the

system had been very considerably improved. In many districts it was now considered tolerably complete in its practical results. He had no doubt at all that the time had not yet come when they could venture upon organizing the whole country in this direction. It was a difficult country to so organize, though some districts were provided with the parochial system, or small municipal divisions, but a large portion of the country was not divided into anything smaller than counties, and had none other save municipal organization, and this in a very imperfect condition. Such a system would require a very careful system of subdivision, and a very large army of officers to secure complete returns.

MR. LANGEVIN said that the system of registering births, marriages, and deaths in the Province of Quebec, was quite perfect, and it had continued for many years.

MR. BLANCHET: We can never have anything better.

MR. LANGEVIN said he regretted very much that Ontario, which had organized a very unsatisfactory system, had not adopted that of the Province of Quebec, which was both excellent and economical. It required a very slight expenditure. The registration of births, marriages and deaths was made in Toronto, and the large towns of Ontario, in accordance with the law and the facts. If the Government would examine the Quebec system they would find that it was a good one, It would cost nothing like quarter of a million. He would certainly advise their friends in future to adopt the Quebec system, which worked admirably. It could, moreover, be inaugurated at a slight expense in the larger Provinces, as a beginning, and then extended to other portions of the Dominion.

MR. MACKENZIE: The Provincial Legislatures have control over matters relating to property and civil rights. Under that, they arrange their municipal system, and require statistics referring to municipal affairs, agricultural products, and everything connected with property. They have a right to make a registration of births,

because that affects the rights of the people. They are also, by the same rule, entitled to provide a system of vital statistics.

Mr. TUPPER: I have no desire to question the right of Provincies to have any system of statistics they may desire, but I maintain that the Confederation Act imposes the duty of dealing with the question of statistics in this Dominion exclusively on this Parliament.

Mr. MACKENZIE: No.

Mr. TUPPER: The 91st Section of the Act of Confederation, which deals with the distribution of legislative power, says, among other matters:

“Notwithstanding anything in this Act, the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects enumerated—the Public Debt and Property, the Postal Service, the Census and Statistics.”

Everybody who knows what is embraced in the Census, must know that it covers the whole ground of vital statistics.

Mr. MACKENZIE: Does the hon. gentleman say we are acting illegally in Ontario?

Mr. TUPPER: Whatever the Province of Ontario or Quebec may do, the duty of dealing with the question of vital statistics for this Dominion devolves on this Parliament under the Confederation Act. We have three classes of subjects for legislation. One class is exclusively placed within the power of this Parliament; another class is distinctly and exclusively placed within the power of the Local Legislatures; and a third class comprises a class of subjects regarding which both may legislate. Take, for instance, the question of immigration. We can deal with that, but the Local Legislatures, under the Union Act, have also power to deal with the subject. I will not raise the question as to the legality of the Province of Ontario dealing with vital statistics; it is a delicate one to raise. But I say that, in any case, the duty is imposed on this Parliament. I differ from the statement that the system inaugurated in Nova Scotia in 1864 was a useless one; it was im-

proved year by year, and finally commended itself to the country. It was not carried out so perfectly, perhaps, as might have been desired; but, as far as the registration of births, marriages, and deaths was concerned, it was very efficiently and thoroughly carried out. This Government, therefore, having assumed the responsibility of the Department, had no right to abolish it. The question came up in the Supreme Court of the Province, and a very strong and clear decision was given to the effect that the duty of dealing with this Department devolved upon the Dominion Government; and I say that, under these circumstances, we are doing a wrong to the Province so long as we refuse to provide what we are bound to supply under the Union Act. I do not think the expenditure for the carrying out of a very efficient system would involve anything like what the hon. the First Minister seems to contemplate. The subject occupied the attention of the late Government, and an estimate, which was submitted, showed that a very judicious and efficient system could be inaugurated at an expenditure of \$150,000. It is obviously necessary that some such system should be adopted, because these questions might at any day become questions of the most vital importance.

Mr. BLAKE said though, as pointed out by the hon. member for Cumberland, this Parliament might have the power to deal with the question of vital statistics, yet it was not bound to do so. Provincial Legislatures, for instance, had the power given them to amend their own constitutions, but they did not require to do so if they did not choose. The record which the hon. gentleman spoke of as being of high consequence to the people of Nova Scotia was one established, not for general results, but for details of dates and names in births, deaths and marriages.

Mr. CAMERON said the argument of the hon. member for South Bruce was scarcely appropriate, namely, that Local Legislatures had the power to amend their constitutions, yet were not bound to do so, and that the Dominion Government were not there-

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fore bound to collect the statistics in question. However, he would allow that to pass at present. His hon. friend from Cumberland argued that it was the duty of the Dominion Government to provide a system of vital statistics. Now, the fact that Local Legislatures might have chosen to assume the responsibility in their own Provinces was no reason why the Dominion Legislature should be exonerated from all responsibility for the collection of statistics throughout the whole Dominion. Suppose Ontario, Quebec and Nova Scotia assumed the responsibility themselves, and the Provinces of New Brunswick, Prince Edward Island, British Columbia and Manitoba refused, the Dominion Government would be wrong in not providing for the collection of these statistics which the Confederation Act had conferred upon them.

MR. TUPPER: In reference to what has fallen from the hon. member for South Bruce, I may state that, not only did the Union Act give the exclusive power of legislating with regard to these statistics to this Parliament, but in 1868 we passed an Act, organizing a Department of Agriculture, and by sub-section 6 of section 5, the census and registration statistics were placed under the control of that Department. In section 68, cap. 8 of the Dominion Act, it is stated: "It is enacted that all laws or parts of laws inconsistent with said Act, in so far as they are inconsistent herewith, are hereby repealed." In 1867 and again in 1868, after the passage of the British North America Act, the Legislature of Nova Scotia amended the Act of 1866; but since the Dominion Legislature has exercised this control over the statistics, I am not aware that the Local Legislature has ever interfered.

MR. CARTWRIGHT said it was quite clear we were not in a position at the present moment to incur an expenditure of \$150,000, and, however the hon. gentleman's conscience might prick him now, it did not do so in 1874.

MR. TUPPER said the hon. gentleman was mistaken, as a vast amount of information had then been obtained with the view of establishing or organizing

a general system of vital statistics for the whole country.

MR. CARTWRIGHT: We cannot undertake it now.

*Vote agreed to.*

57. Expenses in connection with the Paris Exhibition..... \$25,000

MR. CARTWRIGHT said it would be necessary to supplement that vote, and an amount would be placed in the Supplementary Estimates.

MR. MITCHELL: How much more is required?

MR. CARTWRIGHT said that from \$75,000 to \$100,000 would be needed.

MR. MITCHELL: It is a dear morsel.

MR. CARTWRIGHT said if pages 10 and 11 of the report of the Minister of Agriculture were referred to, it would be found that a considerable quantity of goods had been sent from Canada, and that a trophy had been erected in a very conspicuous place at the exhibition. Commissioners had been appointed, and they were now actively engaged in the discharge of their duties.

MR. CAMERON said when the Commission was sent out to Australia very great injustice was done to the Province of Ontario. If he recollected aright, there were 113 exhibitors from Ontario and 13 from Quebec; yet the Commissioners were sent from the latter Province, incapable as they were of explaining anything about the wants or the products of Ontario. He wished, therefore, to know who were to compose the Paris Commission?

MR. CARTWRIGHT said the commission appointed consisted of Sir John Rose, Mr. J. Gordon Brown, Mr. T. C. Keefer and Mr. Drolet. Mr. Keefer acted as executive officer and he believed was the only one of the number who received any emolument. As for the other matter, the hon. gentleman who spoke was probably aware that Hon. John Young, who acted as Commissioner in Australia, was a gentleman who was, perhaps, as well qualified as any man in the Dominion to do justice to every interest in the Dominion. He doubted if a man could

be found more energetic and more earnestly desirous of promoting the prosperity of the country than the Hon. John Young. Everyone knew that he was not only enthusiastic in relation to everything connected with the general development of this country, but he was a man possessed of special qualifications for pushing our manufactures in foreign countries, as he had a most extensive acquaintance with the mercantile matters of the Dominion. He was perfectly certain that the hon. gentleman (Mr. Cameron) stood alone in thinking that there was any foundation for the suspicion that Mr. Young could do anything against the interests of Ontario, or any other portion of the Dominion.

Mr. DYMOND said there had not been a single manufacturer of Ontario who had complained of Mr. Young, and it was rather unfortunate, knowing Mr. Young's position at the present time, that the hon. gentleman should endeavour to cast a slur upon his name.

Mr. CAMERON said that the state of health in which Mr. Young now was, rendered him unwilling to pursue the discussion. He did not say that the gentleman did not possess the eloquence, the ability and a large amount of general knowledge necessary to enable him to discharge the duties of Commissioner at the Australian Exhibition, but he did complain that there were not more representatives from Ontario, in proportion to the large preponderance of exhibitors from that Province. He asked with regard to the Commission to the Paris exhibition, whether justice would be done to the exhibitors from Ontario, in proportion with other Provinces. He thought they should have a Commissioner specially representing the manufacturing interests of Ontario.

Mr. JONES (South Leeds) said he thought the appointment of the Hon. John Young to the Sydney Exhibition was a good and proper one, and he did not think any sectional feeling should be shown with regard to it. It was of no importance where the man came from, if he discharged his duty efficiently.

Mr. CARTWRIGHT.

Mr. MITCHELL said he had nothing whatever to say against the appointment of Mr. Young; he thought he was a very proper and fit man to represent the trade and commerce of the Dominion, and the remarks of the member for North York (Mr. Dymond) were quite unnecessary. Referring to the Commission to the Paris Exhibition, they found that there was Sir John Rose, forsooth; he had always been in everything connected with Canada. It was said he never got any pay, but the pay was there all the same. It appeared there were two from the Province of Ontario, Mr. Keefer and Mr. Gordon Brown; Sir John Rose was from London, he represented nobody except himself; and the Minister of Agriculture the Province of Quebec. Now they were going to spend \$100,000 in this matter. Mr. Gordon Brown happened to be going over on his own business.

Mr. MACKENZIE: And at his own expense.

Mr. MITCHELL said he knew nothing about that. Mr. George Brown went down to Washington at his own expense, and they found out afterwards what that meant. He had no objection to Mr Drolet; he had some acquaintance with the French; but why Mr. Keefer. And why should the whole Eastern Provinces be ignored. The sum likely to be expended was entirely out of proportion with what we ought to pay, and not one of the men proposed had the confidence of the country.

Mr. BERTRAM asked the nature of the arrangements made with regard to the Paris Exhibition, and whether the Government held themselves liable to any damage or loss of the goods exhibited.

Mr. MACKENZIE said they took the goods to Paris, but did not undertake to bring them back. Where the Government found an unwillingness to send exhibits, articles which they thought ought to be exhibited had been purchased, rather than that there should be a deficiency in their exhibits. This was not done to a large extent, as they found people ready to exhibit.

MR. CARTWRIGHT said \$25,000 was all that was required for immediate expenditure. The House had been told that \$25,000 would probably not suffice, as was apparent to anyone acquainted with exhibitions of that kind. They had nearly spent the \$25,000 up to date, and in the ensuing three months would probably require \$30,000 more.

MR. CAMERON: Is there any salary to be paid to Commissioners?

MR. CARTWRIGHT: Mr. Keefer is paid a salary.

MR. MITCHELL: What salary does he get?

MR. MACKENZIE: \$500 per month. Mr. Keefer had been selected for various reasons. He was well known as an eminent engineer, and had a fair acquaintance with both the German and French languages, and was suited in every way to meet the requirements of the position.

MR. ORTON said steps should be taken to make the Paris Exhibition much more satisfactory to Canadian exhibitors than the Sydney Exhibition had been. The information with regard to the latter, and to the prospects of trade between the two countries had been of a very meagre character.

MR. WOOD said, to his knowledge, very many orders had been received for farming implements and machinery of various kinds in Canada, for shipment to that colony. The results had been most satisfactory, and an interchange of trade had sprung up which would develop beyond expectations.

MR. ORTON said an exhibitor in his county had sent a plough and had never since been able to hear what had become of it, although he had written to the Department. Other exhibitors had also complained of lack of information.

MR. PLUMB said he had reliable information that exhibitors had no hope of opening up a trade with Australia. Many of them had not received 50c. in the dollar on the value of their goods. Canada could not compete in that market with that over-protected country the United States. The Sydney Exhibition had proved a

disastrous one to Canadian exhibitors, and unless steps were taken to make the Paris Exhibition more advantageous, it would also prove very unfortunate in its results, as far as they were concerned.

MR. POPE (Compton) said he hoped matters would be better managed at Paris than at Philadelphia. At the latter exhibition, a friend of his had been awarded the first prize for a very handsome horse, as a trotting horse, against all other horses exhibited. Although he had been awarded the prize, he never received it. On application to Mr. Perreault, he was told that the prizes had all been given before the horse had been examined at all.

MR. MACKENZIE said one large expenditure had been incurred, which, although intended primarily for the exhibition, would prove of great service afterwards. A large map of Canada had been prepared, at a cost of several thousand dollars, which was, in fact, the first complete map they ever had of the British possessions in America. It showed not merely the geography but the topography of the country, and had various lines traced upon it to show the different kinds of wood, and of mineral and agricultural lands.

MR. CAMERON asked whether any complaints had been received concerning Mr. Perreault's administration of affairs at Philadelphia, and, if any were received, whether the Government were satisfied they were unfounded. They were all aware that, at the time of the Philadelphia Exhibition, the newspapers were full of complaints, couched in the strongest possible language, against Mr. Perreault, charging him with every kind of impropriety in his administration of the affairs of the Canadian Department. No doubt those complaints found their way to the Government in some official form. If they did, he wished to know whether the Government investigated them, and were satisfied, on investigation, that they were unfounded; because, otherwise, he could not understand how they would appoint a gentleman against whom such a host of complaints were levied as were made against Mr. Perreault, to the position of Secretary to the Canadian Depart-

ment of the Paris Exhibition. He had not the pleasure of Mr. Perreault's personal acquaintance, but, judging from the statements in the newspapers, he was the most unqualified secretary that could possibly have been appointed.

MR. MACKENZIE said that if Mr. Perreault had been accused, as the hon. member for Victoria had stated, with every kind of impropriety, he was entirely ignorant of it. There were some complaints made, notably by one newspaper, which made charges which were grossly false and calumnious against Mr. Perreault and everyone else connected with the Exhibition. An attempt was made by some newspapers to break down the Canadian exhibit at Philadelphia. Those charges proved to be totally unfounded. Mr. Perreault was a gentleman possessed of very eminent qualifications. He might have a little brusqueness of manner that might be troublesome to himself and others at some times, but it would be very difficult to find a man with better qualifications than Mr. Perreault possessed to discharge the duties which he had to perform at Philadelphia. As Senator Penny had said to him (Mr. Mackenzie), Mr. Perreault was a miracle of adaptiveness to the duties of his office. The hon. member for Victoria should not take the statements of newspapers in such matters, especially the kind of newspapers he was accustomed to read.

MR. CAMERON said the hon. the First Minister had not answered his question, which was whether any complaints had been made against Mr. Perreault; and, if so, whether they had been investigated?

MR. MACKENZIE said he was not aware of any formal complaint. There were some letters received from parties having goods there, complaining they had not received their goods in time, or something of that sort, and that they could not get the attention they asked, and so on; but he had no recollection of any specific charge of impropriety having been made against Mr. Perreault by any person.

MR. CARON said that, outside of the complaints contained in the papers

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which were usually read by hon. members on the Opposition side of the House, there were several complaints made against Mr. Perreault by gentlemen who attended the Philadelphia Exhibition. Having been selected for the Paris Exhibition, he must be a very proficient man to perform the duties which would be incumbent upon him as the representative of Canada in Paris; but, in view of the complaints which had been made against that gentleman, it must have been only after mature deliberation and investigation of the charges, that the Government decided to appoint him to represent Canada.

MR. MACKENZIE said Mr. Perreault did not represent Canada at Paris, which was done solely by the Executive Commission.

MR. CARON said he believed the selection of Mr. Keefer was a very good one, and he had had some means of judging of that gentleman's qualifications. He was a gentleman possessing large engineering knowledge, and other qualifications, which would enable him to make a good representative of Canada. Moreover, he was a gentleman who could speak English and French equally well. But, in regard to Mr. Perreault, he could only have been selected by the Government after they had investigated the charges made against him—not only by newspapers, but by gentlemen who visited Philadelphia, and had opportunities of judging of Mr. Perreault's merits as Secretary and representative of Canada at that Exhibition.

MR. PLUMB said it was scarcely necessary to point out that the Secretary of the Commission possessed large powers; and although Mr. Perreault did not represent Canada, yet, as Secretary, if he were an active and pertinacious man, he possessed certain powers which might make the Commission a very inharmonious one. That gentleman might be able to do what he was credibly informed he had done at Philadelphia to Canadian exhibitors. He believed the opinion of the Philadelphia exhibitors was that Mr. Perreault's action there was not such as would justify a renewal of his commission by the Government on the occa-



sion of the Paris Exhibition. There were universal complaints in regard to the manner in which that gentleman had discharged the duties of his office. The hon. the First Minister had told the House that Mr. Perrault was brusque in manner, which meant that he was somewhat curt and a little more. That was what an officer in his position should not be. As the representative active man in the Commission, who must come in contact with almost everyone, he was bound to have a very courteous demeanour, and if he were a man of temper or of irritable disposition, he was the last man who should be entrusted with the delicate position he held. His position was an important one for a short time, and it was one where a man could abuse his power; he was amenable to no one, and when the exhibition was over the matter was closed. He could be a tyrant for the time, and if there were any chance that he would exercise his power, he was the wrong man for the position. Although no formal complaints had been submitted to the Government, as the hon. the First Minister had said, nevertheless they had received complaints. It was singular that the Government, should have appointed a man against whom there were complaints, a great many of which the hon. the First Minister could verify, and some of which could be verified without leaving the Chamber. However, with the Government rested the responsibility of the appointment; they had a majority in the House and they would use it.

MR. HOLTON said that Mr. Perreault's name having been mentioned in very opprobrious terms by hon. members who had not had an opportunity of knowing that gentleman as he had, he felt bound to say a few words in regard to what had been stated. Mr. Perreault he had known for many years, and had had the pleasure of sitting in Parliament with him for several years. He was a man of very great ability, of irreproachable character, and possessed a thorough knowledge of the Province of Quebec. For the special work Mr. Perreault had to do at Philadelphia, and would have to do in Paris, he questioned very much if his equal could

be found in the Dominion. He was particularly adapted for the work; he had great organizing talent, great activity, great industry, perfect command of the English and French languages, and was an able man in every respect; and he (Mr. Holton) felt some indignation to hear that gentleman's name bandied about in the manner it had been by hon. members who knew nothing about him. It was absurd to say that charges of any gravity had been made against Mr. Perreault. It was quite possible he might have peculiarities of manner. These peculiarities were very far from being disagreeable to those who knew him; but that any charges were made against him, was quite untrue. No charges were made against him, none could be made against him, except the often unreliable complaints of exhibitors, who, no doubt, expected a great deal more attention than could be given to individual exhibitors, and those complaints were, no doubt, exaggerated in the Press. But, on the whole, knowing Mr. Perreault as he did, and knowing the diligence with which he had performed his very onerous duties at Philadelphia, and in preparing for the exhibition there throughout the country, he would repeat that he doubted very much whether the Government would have found, in the whole length and breadth of the country, another man as well adapted for the work as this much-abused Mr. Perreault.

MR. PALMER enquired as to how late a period goods could be forwarded to the Paris Exhibition?

MR. MACKENZIE said the time had expired.

MR. PALMER asked for a statement of the number of exhibitors who had sent goods.

MR. MACKENZIE said he would be able to state the number at a later sitting of the Committee.

MR. MITCHELL said he had not the honour of personal acquaintance with Mr. Perreault, but he had the faculty of ascertaining what public opinion was; and from the statements which had appeared in the public Press, and the communications of exhibitors, that feeling of distrust in Mr. Perreault

existed. He (Mr. Mitchell) was present at the Philadelphia Exhibition, and from the opinions expressed there respecting Mr. Perreault, all he had to say was: "God help Canada if that is the only perfect man to represent us." Mr. Perreault was a man thoroughly unfit for the position, and unfit, especially, in manner.

**MR. MACKENZIE:** That is not so.

**MR. MITCHELL** said his information had been derived from people who visited Philadelphia. He had been repeatedly informed in regard to Mr. Perreault by exhibitors, and complaint after complaint and question after question had been sent to him. He disagreed with the conclusion at which the hon. member for Chateauguay (Mr. Holton) had arrived in respect to the manner in which Mr. Perreault had represented Canada at the Philadelphia Exhibition.

**MR. MCGREGOR** said he had visited the Philadelphia Exhibition during several days and came frequently in contact with Mr. Perreault, who he believed was the right man in the right place; indeed, he found him to be a gentleman both in his position at the Exhibition and at his own home. He felt proud of Mr. Perreault as a Canadian, and did so to-day.

**MR. MITCHELL:** Mr. Perreault's courtesy must have been confined to gentlemen of the Grit persuasion.

**MR. PALMER** said he was an exhibitor at Philadelphia, and his agent who manufactured for him, complained that Mr. Perreault was exceedingly difficult to approach, and exhibitors were almost afraid of him.

**MR. MACKENZIE** said that; in order to give the House an idea of the kind of complaints sometimes made of an individual in Mr. Perreault's position, he might say that one of the leading newspapers in the Province of Ontario, supporting hon. gentleman opposite, characterized Mr. Penny as "a vulgar, illiterate, ignorant fellow," whilst he was one of the most cultivated, best educated and best informed gentlemen in Canada, a man who was utterly incapable of any impropriety of conduct. Yet

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such was the attempt made by newspapers in Ontario to make political capital by any attacks on the Government or on those associated with the Government, that they were willing to characterize the Chief Commissioner in that low, abominable manner, and a very great deal of that same spirit was exhibited towards Mr. Perreault; not because there was any fault to find with him as a general rule—though he (Mr. Mackenzie) did not say there might not have been cause for complaint—but because they thought they could accomplish their object by abusing the servants of the Government there.

**MR. PLUMB** said he objected to the term used by the hon. member for Chateauguay, who had defended Mr. Perreault. The hon. gentleman said opprobrium had been cast upon this official. He had not, up to this time, heard anything save the courteous enquiry of the hon. member for Victoria, who always addressed the House within the strictest bounds of parliamentary courtesy and decorum. He (Mr. Plumb) need not have gone twenty feet from where he was to prove conclusively the point he had made. He had said nothing against this man, whom he did not know. No personal consideration entered into his discussion of the subject. It was claimed that Mr. Perreault was unfit for the delicate and very responsible position which he had held, and it was a mere question of Mr. Perreault's fitness for this position.

**MR. BOWELL** said that the question with reference to the appointment of Commissioners and the Secretary was he thought, a very fair subject for discussion under this item. With regard to the conduct at the Philadelphia Exhibition of this gentleman now under consideration, he could say that, so far as he was personally concerned, his experience of this gentleman was precisely of the same character as that of the hon. member for Essex. He was now speaking of his personal intercourse with Mr. Perreault, who had, at least, treated him with the utmost courtesy; but he would do him an injustice if he did not say that almost every Canadian exhibitor with whom

he came in contact at Philadelphia had some complaint to make with regard to their treatment by Mr. Perreault, and when they desired to obtain any favour from the Commissioners, they took the trouble to ask certain gentlemen who were there to go and intercede for them, in order that they might secure for their stock what was absolutely necessary. He could understand, and he was quite satisfied, that this treatment of certain people, perhaps, arose from want of knowledge as to what breeders in particular required to feed and maintain their stock while they were exhibiting in Philadelphia. Being connected with the Agricultural and Art Association of Ontario, those gentlemen who knew him (Mr. Bowell) and also Mr. Morgan, who was there on behalf of this Association, on many occasions came to them and they had gone personally to ask that these breeders should receive that which they could not otherwise have obtained,—at least these gentlemen had stated that it had been refused them. He was merely telling what had come under his own observation. Mr. Perreault might be all that the hon. member for Chateauguy represented; he might be cultivated and one of the cleverest of men, and fitted for almost any situation in Canada.

Mr. HOLTON: I said for that situation.

Mr. BOWELL said that, if so qualified, Mr. Perreault had been singularly unfortunate in leaving the impression mentioned on the exhibitors, particularly from the Province of Ontario, for he had not known of a single exhibitor with whom he had come in contact in connection with this exhibition, but who had more or less fault to find with the treatment he had received from Mr. Perreault in different ways. The hon. member for Chateauguy said that no serious charges were or could be made against this official, and the hon. the First Minister stated that false statements were published and attempts made to break down the Canadian exhibition. He thought that he had watched the newspapers pretty nearly as attentively as most people, but he had never found an article in any paper, no mat-

ter on which side of politics, that could lead one to the conclusion that it desired to injure the Canadian exhibition. All the articles which commented on the conduct of the Commissioners, and the Secretary of the Commission, had, to his mind, only one object in view, and that was to make the exhibition as great a success as possible; and he had yet to learn that the Press or individuals were bound to eulogize officers who were conducting work of this kind; and that, in order to make it a success, they must therefore indulge either in platitudes or in flattery. He did not think that this was at all necessary. It was true that charges were made, but they were made in the public Press by responsible publishers, and these were, moreover, of the most grave character. It might be true, as the hon. member for Chateauguy stated, that these serious charges were not made to the Government. Of this, they had no knowledge; but, that serious charges were preferred, everyone who read the journals, of Ontario in particular, knew to be a fact. They knew more: that this gentleman entered, or threatened to enter, and did enter a suit for libel, laying claims for heavy damages for slander. This might be a favourite mode of trying to silence the Press on public questions, and to prevent it commenting on the acts of public men. Mr. Perreault might be like some others whom they knew, who had been attacked with regard to their reputation, public and otherwise, through the journals of the country, and had entered an action against them; although, when pleas of justification were put in, they allowed them to remain there for years, notwithstanding the fact that these pleas were of the most damaging character, if true. If these charges were not true, Mr. Perreault should have done what others should have done—defended his reputation in the courts of law, and punished those men who had had the audacity to charge him with the crimes that the papers of Ontario had laid at this official's door. He used the word "crimes," because some of these charges were of a very serious character, and he fancied that the hon. member for Chateauguy knew this as well as himself. They

were, indeed, of so serious a character as to attribute to Mr. Perreault the taking of certain commissions—something which he would be extremely sorry to believe him capable of doing—in addition to the manner in which he (Mr. Perreault) had treated those who had had articles there on exhibition. He did not say that he had any personal knowledge of any of these acts, and he did not know that he would have risen at all had it not been for the remarks made, and the high eulogium passed on that gentleman by those who knew him better than he did. He would repeat that, in his personal intercourse with Mr. Perreault, the latter had been, not only at Philadelphia, but also here, not friendly, but most courteous. Whether this was because he happened to occupy the position of the hon. member for Essex he did not know, but he did not attribute it to this fact. He had not heard, however, of a single exhibitor from the Province of Ontario, who had not some fault to find; some of a serious character, some less so, with Mr. Perreault, and general grumbling, in this relation, had gone on amongst those gentlemen who had taken their articles to that city for exhibition. He should regret exceedingly, on the part of Canada, if such treatment were extended to exhibitors who went to Paris. He did not think that this would redound much to our own credit, as certainly it would not to that gentleman we sent there to manage our affairs, whether as Secretary or Commissioner.

*Vote agreed to.*

58. To meet expenses in connection with Entomological Commission. \$2,000

Mr. CARTWRIGHT said the American Government had asked Canada to assist them to collect information touching the habits and mode of breeding of those insects which had done so much harm in the North-West territory, and as the United States Government had devoted a considerable sum for that purpose, it was not desirable that we, who were jointly interested, should appear shabby.

Mr. MITCHELL: I want to know something about this entomological business.

Mr. BOWELL.

Mr. MACKENZIE said it was proposed to send a commission of enquiry, accompanied by a scientific man, or one of our professors, to co-operate with the American Commissioner.

*Vote agreed to.*

59. To meet expenses in connection with Australian Exhibition . . . . \$5,000.

Mr. CARTWRIGHT: This is an extra sum; \$25,000 was previously voted. I do not think the whole will be expended or even required; but it may be in the recollection of the hon. gentleman that, by a heavy thunder storm, a large quantity of goods at the Sydney Exhibition were destroyed or seriously damaged, and claims for compensation have been made to the Department of Agriculture. It was deemed necessary, on that account, to ask for this vote, though only a small part of it is likely to be required.

*Vote agreed to.*

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Thirty minutes past  
One o'clock.

## HOUSE OF COMMONS.

Wednesday, 10th April, 1878.

The Speaker took the Chair at Three o'clock.

### PRAYERS.

#### QUESTION OF PRIVILEGE.

Mr. MACKAY (Cape Breton) said that before the business of the day began, he was desirous of making a few remarks in connection with what he considered a privilege that he possessed as a member of the House. He had particular reference to a matter which took place yesterday, when he made application intending to bring before the House a matter in which his constituency was, to a certain extent, interested. He understood, from his limited knowledge of parliamentary law, that when a motion was made to go into Committee of Supply, it was

fully competent for any hon. member to bring forward any notice he saw fit to make, which was a matter of interest, either to himself or the country at large, or his constituency. With this object in view, it was his intention the day previous to have made a few remarks regarding a matter in which some of his constituents were interested. He held that the hon. member for Iberville, who subsequently got the ear and floor of the House, was not entitled to the precedence accorded him. He had looked into the authorities which he was very desirous of bringing under the notice of the Speaker, yesterday, which laid it down, he thought, pretty clearly, and in a way which, it seemed to him, admitted of no doubt that, when the House was going into Committee of Supply, it was not necessary that any notice should be given of any amendment which might be moved. It seemed to him that, in the decision of the Speaker yesterday, there was confounded the rules with respect to notices of motion and those also respecting amendments. He was free to admit that, in so far as notices of motion were concerned, it was necessary to give a certain notice in the way prescribed; but, where amendments were made on going into Committee of Supply, it was laid down that the ordinary rules were not followed in any way. In May, it was stated that :

“The time for moving an amendment, is after the question has been proposed by the Speaker, and before it has been put. It is customary and more convenient, but it is competent for any member to propose an amendment without notice; nor is any other member who may have given notice of an amendment, entitled to precedence on that account.”

It was this quotation which he was desirous of reading yesterday when he rose to claim what he considered was his right. He contended that, under this authority, he had the right, being first on the floor, to the ear of the House, and to a decision from the Speaker to that effect, and that he was entitled to be heard. When he brought this matter before the notice of the Speaker, the reply was, that, “having placed a notice on the paper, the hon. member from Iberville had a claim on the attention of the Speaker to which

an hon. member who had not given such notice, was not entitled.” In order to decide this matter, and in order that other hon. gentlemen might understand the exact position of affairs when such an amendment was moved, he thought it a duty he owed to himself and also to the interests of the several other members who had spoken to him about this matter, to bring it before the House. There was a difference in the practice, and the rules and regulations laid down for the guidance of Parliament in moving motions and in putting amendments. He was free to admit that sometimes, according to one of the rules of the House of Commons in England, it was found necessary to decide as to who should take precedence in connection with notices of motion by ballot; but he took it that the Speaker's reference to this fact did not in any way apply, inasmuch as it was not a notice of motion that he was bringing before the House, but an amendment and an amendment only. When he rose yesterday to obtain a decision from the Speaker in reference to this matter, he wished to read certain authorities that he then had under his hand, because he had thought that it might be looked upon that the hon. member for Iberville would claim that, having given notice, he was entitled to precedence; but he regretted to say that, in a way which seemed to him to imply a certain lack of courtesy towards himself, he was prevented from saying anything at all, and from quoting his authorities; in fact, Mr. Speaker decided the matter without giving him the opportunity of placing himself right before the House, a privilege to which he considered he was entitled.

MR. HOLTON said he thought there could be no doubt that his hon. friend was right as to the practice of the House—that notice was not required here as it was in England; but he had understood Mr. Speaker to say that notice having been given by the hon. member for Iberville, he, naturally, looked in his direction, rather than in any other direction, when the Order was called; and this hon. gentleman, therefore, caught Mr. Speaker's eye first. If his hon. friend from Cape Breton had caught Mr. Speaker's eye

first, he would, undoubtedly, have been in order in moving whatever he proposed to move in advance of the hon. member for Iberville, notwithstanding the fact that the latter had given notice.

MR. MASSON said his impression as to what had taken place was not in accordance with what the hon. member for Chateauguay stated. He distinctly understood that, at that moment, Mr. Speaker believed that notice having been given, the hon. member for Iberville was entitled to some regard on this point.

MR. ROCHESTER said his understanding of the matter agreed with that of the hon. member for Chateauguay. He thought that the hon. member for Cape Breton did not have a great deal to complain of.

MR. SPEAKER: The hon. member from Cape Breton has chosen to make a statement, and, of course, I did not see any objection to it, although I do not know that he was strictly in his right. The whole circumstance was precisely as the hon. member for Chateauguay has just described it. I did not say that the fact of the hon. member for Iberville having a notice of motion on the paper gave him, in my opinion, a certain claim on my attention, not that it gave him a right of precedence *per se*, but a claim on my attention that no hon. member would have who had not given notice of motion. When two members are on their feet, these members' rights are equal. It is absolutely necessary to choose between the two, and if any hon. member, when such selection is made, thinks that any wrong or injustice is done if he is not chosen, he will find that almost everybody will have something to complain of on that score. My own desire is to do simple justice to every hon. member of the House. I always regard every hon. member of the House, on one side as well as on the other, as having absolutely equal rights.

ELECTION OF MEMBERS ACT AMENDMENT BILL.—[BILL No. 20 ]

(*Mr. Laflamme.*)

FIRST READING.

MR. LAFLAMME introduced a Bill (No. 20) To amend the Act respecting

MR. HOLTON.

the election of members of the House of Commons. He said its provisions were intended to do away with the envelope system, which existed under the Dominion law, and to introduce the practice which prevailed under the Quebec Act respecting annexes, and the identification of the ballot, in order that after a party came to vote it might be seen that the ballot cast was the same with the ballot which had been handed him, and to avoid the possibility of discovering who had voted. The third provision would oblige the voter, when this was necessary, to declare on oath that he could not read, or use his ballot without assistance. The voter would have to declare that he could not read or make his cross alone. It had been found from experience that the liberty given to the voter in this respect was availed of for the purpose of detecting the voter, and of forcing on him this declaration. The party selected to act as agent for a candidate was sometimes one of the most influential men in the place, and this fact constrained the voter somewhat in regard to declaring that he could not make his cross. The voter had then to go before this man, who might be his creditor, and make his cross in this man's presence. In other words, this Bill was intended to make the ballot system as efficacious as possible.

MR. BLANCHET: Is any provision introduced to do away with the deposit of \$50 placed in the hands of the Returning Officer by candidates, or to increase it?

MR. LAFLAMME: No.

MR. LANGEVIN said he was pleased to see that the hon. the Minister of Justice submitted this Bill. The Quebec Act was a very fair one, and prevented a great deal of fraud at elections. There was one thing which occurred to him in connection with this measure, and that was: that the oath imposed would have to be a short one, because there would otherwise be a danger of all the electors not being able to record their votes on the particular day specified for that purpose.

MR. LAFLAMME said it consisted of only two lines, so that no delay need be apprehended on that ground.

MR. PLUMB wished to know what was meant by the numbering of the ballot papers.

MR. LAFLAMME said the ballot papers would not be numbered, but only the annexes, which would be torn up in the presence of two agents.

MR. PLUMB said if that was the case, the secrecy of the ballot would not be violated.

Bill read the first time.

#### ADDRESS TO THE GOVERNOR-GENERAL.

##### NOTICE OF MOTION.

MR. MACKENZIE: I beg to give notice that, to-morrow, as soon as the routine proceedings are over, I will move an Address to His Excellency the Governor-General, expressing the regret this House feels on the occasion of his terminating his connection with the Government of Canada.

#### DRILL SHEDS IN MANITOBA.

##### QUESTION.

MR. SCHULTZ enquired, Whether it is the intention of the Government to erect drill sheds in the Province of Manitoba?

MR. JONES (Halifax): Some communications are likely to be addressed to the Department on the subject shortly and the question may then be considered.

#### CARTRIDGES FOR THE NORTH-WEST SUPERINTENDENCY.

##### QUESTION.

MR. SCHULTZ enquired, For what purpose were the 20,000 Winchester Rifle Cartridges required, which were asked for by Thomas Nixon, Purveyor for the North-West Superintendency, in an advertisement for tenders dated 26th March, 1878, and printed in the *Manitoba Free Press* of that date?

MR. MILLS: During the past season the Indian Chiefs and headmen in that district, to the number of 46, have been presented with Winchester rifles, and the ammunition is for their use.

#### ORDNANCE LANDS IN SOULANGES.

##### QUESTION.

MR. LANTHIER enquired, Whether the Government have disposed of the Ordnance Lands in the county of Soulanges; and if so, to whom?

MR. MILLS: I may state that no Ordnance Lands have been disposed of in that district.

#### ACQUISITION OF UNCEDED TERRITORY IN THE NORTH-WEST.

##### QUESTION.

MR. SCHULTZ enquired, Whether the Government have taken any steps to acquire from the Imperial Government the unceded territory east of the territory of Keewatin and north of the Province of Ontario and Quebec?

MR. MILLS: The Government had communicated with the Imperial Government on this subject, but no actual steps beyond this have yet been taken.

#### WILLIAM WALLACE'S ACCOUNTS.

##### QUESTION.

MR. ARCHIBALD enquired, Whether the accounts of William Wallace, late Commissariat Officer, Paymaster or Accountant on the Canadian Pacific Survey have been finally closed; if so, have the money, cheques, etc., which were entrusted to him been satisfactorily accounted for; and if not, what amount has been fully accounted for, what amount partially accounted for and what amount remains wholly unaccounted for?

MR. MACKENZIE: The accounts have been cleared so far as they can be cleared in the absence of vouchers. With regard to the remaining part of the question, I feel that it would, perhaps, be scarcely fair to the hon. member for Norfolk to make a statement as to the accountant's conclusions, because, at present, no debate can take place upon it. I think, therefore, it would be well for the hon. gentleman to give notice of motion so that a return may be brought down embodying the statement by the accountant, Mr. Taylor.

## PROVISION FOR DREDGING.

## QUESTION.

MR. MAC KAY (Cape Breton) enquired, Whether it is the intention of the Government to purchase or construct a dredge so as to provide for the necessary dredging beyond the working capabilities of those now in use?

MR. MACKENZIE: The dredge power at the command of the Government of the kind known as the small or spoon dredges, together with two large sea-going dredges, is quite sufficient for the work we have to perform. We are endeavouring, at present, to get an arrangement made for leasing another dredge with the option of purchasing it if we find it answer our purpose. With that addition, I hope we will be able to overtake the very difficult operations in connection with harbours which will have to be attended to this coming season.

## ACCUSATIONS AGAINST BRITISH COLUMBIA AGENT OF MARINE AND FISHERIES.

## MOTION FOR CORRESPONDENCE.

MR. THOMPSON (Cariboo), for Mr. DEWDNEY, moved for correspondence, from whatever source, which led to an investigation before Mr. Justice Gray, into accusations made against the agent of Marine and Fisheries in British Columbia; also for the report of Mr. Justice Gray, with the evidence taken at the enquiry.

MR. SMITH (Westmoreland): There is no objection to producing all the papers asked for, but if the evidence taken at the enquiry, which is very voluminous, is copied, it will take some considerable time and involve some expense. I have no objection to furnish it, however, if the hon. gentleman desires it.

*Motion agreed to.*

## SEIZURE OF MR. BOSWELL'S BREWERY.

## MOTION FOR PAPERS.

MR. ROCHESTER moved for all Orders in Council relating to the recent seizure of Mr. J. K. Boswell's brewery, in the city of Quebec, and to the imposition of certain fines and penalties

MR. MACKENZIE,

in connection therewith; also copies of all correspondence between the Department and others relating to said matter; and also a copy of all Reports made by officers of the Department sent down from Ottawa to Quebec to investigate the same. He said his object in making the motion was that satisfactory information might be obtained as to the seizure of Mr. Boswell's brewery in 1875. It appeared that owing to some information in connection with the working of the brewery, it was seized, and a fine of \$807 imposed. This fine, Mr. Boswell at first refused to pay, and, as he was prevented in consequence from obtaining a license, he was debarred from carrying on his business. At last, he agreed to pay the fine on condition that, after an investigation should be made, it was found he was not to blame, the money should be refunded. Two officers, Messrs. Miall and Davis, were accordingly sent from Ottawa to Quebec, and they found that there had been no attempt at fraud, but that some errors had been made as to the quantities of grain used. After they made their report at Ottawa, Mr. Boswell received a communication from the Department, in which he was informed that he would be fined \$500. He (Mr. Rochester) would read the information which had been given to him by Mr. Boswell:—

“Messrs. Miall and Davis were sent down by the Department, and, after three days investigation, they found the complaint referred to a clerical error on the part of my brewer, who is an Englishman; and who, as English malt weighs 40 lbs. to the bushel, made the error of charging himself with 40 lbs. instead of 36 lbs., which one of our bushels weighs. This was proved by weighing in the brewery by Collector Fortin and officer Roulleau, and was given in evidence at the investigation. This overcharge of four lbs. of malt against me, and three Sundays charged to me as having brewed on them when I did not account for the irregularity, and my being fined \$807.”

It appeared these quantities were entered in Mr. Boswell's book every day, and checked by the officer in charge as correct. Here was what Mr. Boswell said in reference to the report made:—

“To my surprise, a report came down signed by Mr. Brunel, saying I should be fined \$500 for my more than passive resistance to the law, and offering to return me



\$307 if I remained quiet and obedient. If Messrs. Miall and Davis are examined on oath before a Committee, all I say will be proved. I refused to accept the \$307, thinking that if I did so I would be guilty of fraud."

This was one of those acts of intolerance to which he had so frequently alluded in this House as occurring in that Department, and although it was far in the Session, he hoped that a Committee would be appointed to investigate the affair. Here was a letter which was sent to Mr. Boswell from the Department:—

"DEAR SIR,—I am directed by the Commissioner of Inland Revenue to inform you that upon the recommendation of the hon. the Treasury Board, his Excellency the Governor in Council has been pleased to order that, upon the payment of a mitigated penalty of \$500, no further proceedings will be taken. This order is made without prejudice to the rights of the Crown. I am desired further to state that, in the event of your objecting to comply with the order, proceedings will be taken for the recovery of the full penalty to which you have rendered yourself liable."

He had also two telegrams which had been received by Mr. Boswell that he would read to the House. The first was from Mr. F. Geoffrion, and read as follows:—

"Hon. Mr. Fournier has come to me for your license. My decision is that you have to pay duties as asked by Department. Do it under protest and take your license if you like, and if you cannot be justified, as you told me, duties shall be refunded."

The next telegram was from Mr. Brunel, and read:—

"Payment of money will not prejudice your case. Full investigation will be granted, and if the result shows that the quantity of malt retained by you for duty was correct, and if the excess used in your brewery is satisfactorily accounted for, whatever amount of duty you over-pay will be refunded."

Those were the Commissioners which had been sent to Mr. Boswell respecting this affair. Probably the Minister of Inland Revenue knew nothing of the imposition of this fine. He was not prepared to say that such was the case, but he had no hesitation in expressing his confidence that, if the hon. gentleman looked into the case, he would do what was just and fair. He was not asking for a favour from the Government, he was asking for simple justice.

MR. LAURIER said there could be no objection to what was asked for, but he thought that, when the papers were brought down, the hon. gentleman would find such investigation unnecessary. He believed that in some particulars, at least, the hon. gentleman (Mr. Rochester) had not been correctly informed. The facts, as far as he could see by looking through the papers, were that Mr. Boswell was not only a brewer but a maltster as well, and it was found that his sworn statements as maltster did not concur with his statements as brewer, and there must be an error somewhere. On the investigation made by the Department it was found out that, in fact, the statement made by Mr. Boswell as a maltster was incorrect. The Committee did not think there was any fraudulent intention, but the opinion of the officer was that the discrepancies arose from the negligence of Mr. Boswell. It was found that this had resulted in a loss of revenue to the Department; and, moreover, that he had been sending beer to foreign countries on which no duty had been paid. Upon this an Order-in-Council was passed, based on the report of the Commissioners, that, as Mr. Boswell had been found guilty of misstatements, not, perhaps, intentional, in his return to the Department, it was decided to impose upon him the mitigated penalty of \$500, leaving him the option, if he thought himself innocent, to have the case brought before the ordinary tribunal.

MR. ROCHESTER said he was not surprised at this penalty. He had stated again and again that there was not a brewer in Canada who did not stand in the same position. The Inland Revenue Law was perfectly inoperative, and no brewer in the Dominion was able to work within its provisions. There was no brewer in the Dominion to-day who was not shaking in his shoes. The Revenue Law was so mystified that no man could understand it; and under it, any brewery in the Dominion might be seized at any moment. Orders-in-Council were written in that man's office, and became law, and were issued forth. What occasion was there for any legislation in this House? Mr. Brunel could legislate for the whole

Dominion, and had, in fact, done so. The hon. the Minister of Inland Revenue had not been long enough in the Office to understand the law; it would take a Philadelphia lawyer twelve months to understand, and then he would not be up in all the legal quibbles which the Commissioner had managed to embrace in it. Mr. Boswell was a man well known in this country, especially in the Province of Quebec, and he would refer to any hon. member from that Province to bear him out in saying that Mr. Boswell was a gentleman by birth and education—one who would not think, for a moment, of defrauding the revenue. Why, then, had he been placed in this position? Simply because he was a man fair and square, who spoke his mind freely about matters which did not suit Mr. Brunel. As he (Mr. Rochester) had again and again stated, there was not a brewer in the Dominion who dared speak his mind about this man. People might say that was nonsense; that there were brewers who were not afraid of him. But he knew differently. When it came to a question of bread and butter, after a lifetime spent in earning a little something of this world's goods, which could be all swept away by one dash of the pen of this honourable Commissioner, a man would pause before speaking his mind. He had heard one gentleman's story in regard to this man, and had asked leave to use it here. He received for reply: "If you do not want me to be driven out of the country, do not use it." The English and American Excise laws were quite plain, but this man had got the Canadian Excise law so mystified and mixed up with Orders-in-Council, that it was impossible to understand it. Had Mr. Boswell been a Conservative, hon. gentlemen opposite would not have been surprised that he should take his part and endeavour to get his \$800 returned to him. But Mr. Boswell was a good Reformer, and he thought he could name five or six gentlemen opposite who would not have had their seats had it not been for Mr. Boswell's influence, who was, therefore, entitled to some consideration from the Government. It had been stated there was a proper tribunal be-

MR. ROCHESTER.

fore which to bring this matter. But no man in business would think for a moment of going to law with the Revenue Department and having Mr. Brunel for a Judge. The Government had said they were not responsible for the acts of their agents; if so, there was no other tribunal to which this gentleman could appeal but to the House, and, under the circumstances, this House had a right to take cognizance of these facts and act accordingly. If the hon. Minister of Inland Revenue would investigate this matter, and take evidence on oath before himself, he (Mr. Rochester) would be satisfied with the result, and so would Mr. Boswell, whatever it might be.

*Motion agreed to.*

CANADA CENTRAL AND GEORGIAN  
BAY BRANCH RAILWAYS.

MOTION FOR PAPERS.

MR. MCDUGALL (South Renfrew) moved for all Orders-in-Council not yet brought down fixing the route: 1st. Of the extension of the Canada Central Railway; 2nd. Of the Georgian Bay Branch of the Canadian Pacific Railway. He said it had been announced some two or three years ago that the extension of the Canada Central Railway, which was to be a link in the Pacific Railway, was to have been made by the valley of the Bonnechère. That announcement had been received with much satisfaction by his constituents. It had been reported lately that this extension would not take place by the valley of the Bonnechère, but that it would be made from the town of Pembroke, the present terminus of the Pacific Railway. This latter report had caused his constituents great uneasiness. He did not intend to discuss the merits of the two routes. It would, probably, be unfitting to enter into such discussion, at present, in the absence of information which ought to be in the possession of this House; but he would not be doing his duty to the people of the Riding he had the honour to represent, if he did not press upon the Government the necessity of giving information respecting a change of route, if any

change had been determined on, so detrimental to their interests. His present purpose would be gained if he learned from the hon. the Minister of Public Works that he would bring down the desired information before the close of the Session, and, in that case, would withdraw his motion, subject to the consent of the House.

MR. MACKENZIE said, in a few days, he expected to lay before the House an Order-in-Council with reference to the extension of the Canada Central Railway, and would then give the reasons which existed for the adoption of a different route from the one assigned. It would not be advisable, at present, to enter into any discussion on the subject.

MR. WHITE (North Renfrew) said it would not be advisable to discuss the relative merits of the two routes, one of which had only been indicated by the Government when the extension of the Canada Central was first mooted. He had, on previous occasions, endeavoured to obtain some statement as to whether it was the intention of the Government to go on with this work, as hon. members and people throughout the country had had serious reasons to believe the project had been abandoned. While it was apparent the Government, two or three years ago, were very anxious to prosecute this work, and had, in fact, contracted for its completion by 1st January, 1877, since that time nothing had been done, and no amount had been placed in the Estimates of this year or last year to meet its cost. He was not aware whether the hon. member for South Renfrew had been in the receipt of information which induced him to put his motion on the notice paper. Rumours had been prevalent in the county which he had the honour to represent, that a change of route was contemplated in the direction stated by the hon. member for South Renfrew, and the friends of the Government in the North Riding of Renfrew were endeavouring to obtain support for their candidate on that ground. He had no intention to advocate the adoption of any particular route; that was a matter which rested with the Government to determine in the public

interest. He hoped the hon. the Minister of Public Works would indicate at as early a date as possible the policy the Government intended to adopt.

MR. McDUGALL (South Renfrew) said his hon. friend seemed rather surprised that he (Mr. McDougall) should have information which would cause him to put this motion on the notice paper. If the hon. member, with his usual diligence, had read the report of the hon. the Minister of Public Works, he would have observed that the location of the Georgian Bay Branch had been changed to such a point at the eastern end as would lead to the belief that the Canada Central extension had been changed, because the Canada Central extension, if taken by the valley of the Bonnechère, would have gone to a point supposed to be about the centre of four particular townships, about twenty-five miles from the present eastern terminus of the Georgian Bay Branch as located. It was easier for the hon. member for North Renfrew (Mr. White) to be pleasant over the matter when he supposed that the extension of the Canada Central would take place from the chief town in his constituency, than for an hon. member representing a constituency, that was supposed to have been deprived of its right, so far as having had a promise of the extension when the information was not complete,

MR. WHITE (North Renfrew) said that last Session, and the previous Session, he had taken the same ground as he did to-day, that on the Government alone rested the responsibility of selecting a route which would be best in the interests of the country.

MR. McDUGALL said that, although he seldom coincided with the hon. member for North Renfrew on political matters, he agreed with him in regard to this particular matter. Even if South Renfrew was not to be the favoured place, and if the Government did not always think merely of their friends, but were prepared to do what was right in the public interest, the road would be for the benefit of the people generally, and not merely

for those living in the valley of the Ottawa. He was glad to know that the railway would be pushed rapidly to completion.

**MR. WHITE:** We do not know that.

**MR. TUPPER** said it was very evident that, whatever discussion should take place on this question, and it was obvious that there must be a somewhat full discussion on the policy of the Government in connection with the Canadian Pacific Railway, it would be most convenient that it should take place after hearing a full exposition from the hon. the Minister of Public Works as to what was the present position of the question, and what was proposed to be done by the Government. He desired to call the attention of the hon. the First Minister to the fact that, at this advanced period of the Session, it was very desirable that whatever information the Government had to lay before the House, it should be submitted at as early a period as possible. This was a question of very great import, and they were not in a position to discuss it. The House had been informed by the hon. the First Minister that it was the intention of the Government to submit to Parliament the question of the adoption of a route.

**MR. MACKENZIE** said that such was not the case. He had stated that it was the duty of the Government, under the Act, to adopt the line which would, of course, be announced to Parliament, which would have to decide whether to place the whole or any part under contract. But the question of the adoption of the route was not to be submitted to Parliament, except in respect to the Estimates in the usual way.

**MR. TUPPER** said he had entirely misunderstood the hon. the First Minister, whose memory had not served him as to what had taken place. He had asked the hon. the Premier if it was his intention to submit to Parliament the adoption of the route when decided on by the Government, and he understood the hon. Minister to say that such was his intention. He thought that if reference were made to

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what had taken place in the early portion of the Session, it would bear out that construction. After what had taken place, he (Mr. Tupper) assumed that the Government would not propose to establish the Canadian Pacific Railway route without taking Parliament into their confidence and consulting it. Assuming that to be so, that before anything respecting the route was finally determined Parliament would have an opportunity to express its opinion, it was desirable that all the information possessed by the Government should be imparted to the House as soon as possible. He presumed that the report of the acting Chief Engineer on that important question would be submitted to the House, in order that hon. members might give it due consideration before being asked to commit themselves to anything, or even tacitly sanction the course that might be announced by the Government. He hoped the hon. the First Minister would endeavour to have the report, which he (Mr. Tupper) understood was in his hands, with the map which he understood had also been prepared, covering the whole question, and giving much information, laid before the House on an early day, in order to be able to give the subject due consideration before they were asked to pass any item in the Estimates for the Canadian Pacific Railway, on which occasion the House would expect to receive a full and detailed statement from the hon. the First Minister as to the course the Government intended to pursue, not only with respect to that particular item, but as to the whole legislation, which was one of the greatest importance.

**MR. MACKENZIE** said he inferred from the remarks of the hon. gentleman that he was already in possession of information from his (Mr. Mackenzie's) office.

**MR. TUPPER** said that if the hon. Minister had not had a map prepared, and it was not a matter of secrecy, the rumour he had heard was, of course, unfounded.

**MR. MACKENZIE:** It is not the first time during the Session I have found papers moved for, copies of

which were in the hands of the mover before the motion was submitted.

MR. TUPPER: If the hon. gentleman intends that remark as an attack upon his own Department and upon any officers in the public service, I can only say that, as far as I am concerned, I am not aware of having ever moved for papers, copies of which I had already in my possession.

Motion, with leave of the House, withdrawn.

### THE LOAN OF 1876.

#### MOTION FOR STATEMENT.

MR. TUPPER, for Mr. McCARTHY, moved for a statement showing:

"1. The amount of the loan of 1876, and the amount actually received therefor;

"2. The names of the persons, co-partnerships and corporations who tendered for the said loan, or any part thereof, with the amount tendered for respectively;

"3. The names of those whose tenders were accepted, and the amount for which they were so accepted;

"4. A statement showing when and how the amount of said loan was received, and whether allottees or any of them, and if any of them, which of them, availed themselves of the privilege of pre-payment, and if so, whether they were allowed interest or discount thereon, and the total amount of such discount;

"5. The amount of interest accrued or accruing on said stock allowed to the said allottees respectively, as against the amount payable to them respectively;

"6. The item of commission on charges of and incident to the said loan in detail, and to whom paid;

"7. The rates of interest payable by the Dominion on the said loan, regard being had to the amount actually received and the period it has to run."

He said it was clearly established by the evidence adduced last Session, that it was a great misfortune to Canada that the loan had been placed upon the London money market at a fixed price. All the efforts which were made by the hon. the Finance Minister to sustain the credit of the course he had taken were met and fully answered by subsequent events. The fact that the credit of Canada had been raised to such a high position by the late Government, and that the condition of the money market was favourable to the floating of loans, rendered it exceedingly inadvisable that the hon.

Minister of Finance should have placed the loan on the market at a fixed price. Abundant evidence of the want of wisdom, to say the least of it, displayed, was afforded by the fact that the Government of South Australia, requiring half a million sterling, placed a 4 per cent. loan on the market, not at a fixed price, but open to competition, and the result was that, instead of obtaining half a million, three millions were offered. The rate obtained was higher than that for which single debentures were selling, such being quoted at 96½. The South Australian loan was placed on the market shortly after the last loan of the present Minister of Finance—a loan which he had informed the House, had it not been floated at that opportune moment no such terms could have been obtained, on account of the disturbed condition of Europe. Notwithstanding the state of the continent, South Australia, with a credit somewhat superior to that of the Dominion, but which was not entitled to any better position on the money market of Great Britain or the world than Canada occupied, experienced no difficulty in floating a loan a short time after the hon. the Minister of Finance. The *Colonies* of February 17th, 1877, stated that tenders for the South Australia Government, 4 per cent. loan, for £500,000 sterling, were opened at the National Bank of Australia, London, on 13th inst. There were 200 tenders, the total amount offered being £2,967,000, at prices ranging from £96 10s. to £100. The average price for the £500,000 sterling was £97 1s. per £100. It, therefore, appeared that at the time the hon. the Finance Minister believed he had rendered great service to Canada by negotiating a forced loan at practically below 90, though our debentures were being quoted from 94½ to 93½, the South Australia Government obtained offers for three times the sum required, varying from £96 10s. to par. And the whole loan was allotted at the average rate of £97 10s. per 100. He thought that the controversy was closed as to the great misfortune which it was to this country to have had our loan put on the London money market at a fixed rate of discount, instead of adopting the South

Australian method; and the result was as he had shown. South Australia had not only received a larger amount for every pound of the half million sterling, but a larger rate than single debentures were quoted for at that date. As this subject had attracted a great deal of attention in the House before, and had been fully discussed, he was only now induced to refer to it in consequence of the persistent efforts made to claim as a service to Canada what he thought was one of its greatest misfortunes; that when our debentures, at a time of great repletion in the money market, were selling from 93½ to 94—he was quoting from Westenhall's list—business was done on the 3rd of November (when the loan was floated) at 94½ and 94½. The London *Economist*, of November 4th, stated that business was then done at 94½ and 93½, and, after our loan was put on the market, and closed—the loan was closed on the 8th—they were quoted at 91½ to 92½. Under these circumstances it was obvious that the country must have lost something like three per cent. on the amount it would have realized. Notwithstanding what the hon. gentleman said as to the disturbed condition of Europe and the misfortune it would have been if the loan had been delayed, they found that on the 21st of February, after the loan was taken, business was done in our four per cents, at 94½; and, deducting the interest then accrued the quotation was about 93 nett, so that with the fullest opportunity on the part of the financial world for examining into the whole question and their value, although the hon. gentleman had offered these debentures at something like 3¼ per cent. less than the actual quotation at the time, they immediately recovered to the extent of from 1½ to 2½ per cent., and as late as the 21st of February, they were sold at 94½ or 93 nett. This showed a loss on the two and a-half millions sterling of something like three per cent., or £75,000 sterling, nearly \$400,000, which he contended was lost to the country in consequence of the unfortunate course that the hon. gentleman had adopted in floating this loan. He might say that he had, on a former occasion, stated that he held the Finance Minister of

MR. TUPPER.

Canada responsible, to the fullest extent, in relation to this matter, and that, notwithstanding the fact that the hon. gentleman had the advice of financial agents of the highest standing and character, whose honour and integrity no person pretended to impugn for a single moment. This advice ought to have been taken with a great deal of caution, from the fact that these very gentlemen were large purchasers of the loan at the price which they recommended the hon. the Minister of Finance to take; and he might say further, without violating the seal of official secrecy and obligation, that it had not been the uniform practice of the Finance Ministers of Canada to take the unqualified advice offered him by financial agents, and that the very parties who were now giving a certain amount of maintenance—for reasons best known to themselves—to the mode in which this loan was put on the market, had resisted the same policy on former occasions, the agents' advice had been resisted and their advice not followed, and the result had been the avoidance of a very considerable loss to the country. This matter was now so thoroughly understood that he did not intend to deal with it further than to say that, on an occasion of this kind, instead of maintaining the secrecy which the hon. the Minister of Finance had maintained with relation to this matter, where there had obviously been a loss to the people of this country, owing to the mode in which this loan had been floated, of something like \$400,000 or thereabouts, which was, he thought, fully established—

MR. CARTWRIGHT: It was \$400,000 just now. Which sum am I to understand?

MR. TUPPER: I say that the hon. gentleman, judging from experience of South Australia, may fairly state the loss at \$400,000.

MR. CARTWRIGHT: I only wish to know. The matter is of very small consequence to me.

MR. TUPPER said that the hon. gentleman had stated, on a former occasion, that the same price could not be obtained in the London money

market for a large loan as for single debentures, and that the quotation for single debentures was not a safe criterion, although they had Wortenball's list and the London *Economist*, and the most reliable financial authorities to be found in London, establishing their position by the evidence they gave as to what business was done at. And they had the additional fact that, in a time such as that when the hon. gentleman had the good fortune to negotiate this loan when the banks were filled to repletion with millions of capital, and the parties owning it were afraid to invest, and when such investments as Canada, with the high character which its credit had attained, offered in Government securities, it was most desirable for parties to seek such investments. Millions could be obtained at a higher rate than would be offered for single debentures, because it then became an object to those great capitalists, who had their millions lying in the banks in London, drawing absolutely less than one per cent. per annum on the money they possessed, and they were only too ready, if they had the good security to invest in these large amounts, to give a higher price than the quotations for single debentures. This was established by the case of South Australia; £96 10s. was, he thought, a higher rate than that at which single 4 per cent. debentures of South Australia were quoted on the money market. What did they do? They wanted half a million sterling, and they asked the public to compete for it by open tender, and instead of getting a smaller amount than single debentures were sold for on the market, they obtained an average rate at the very highest quotation—the amounts ranged from £96 10s. to £98 10s., the average being nearly £97 10s., for the whole amount. The effect of these quotations, notwithstanding the fact that the hon. the Minister of Finance said to the financial world that our 4 per cent. debentures were only worth about 90, because, when the hon. gentleman offered the 2½ millions sterling, he fixed the rate below 90, which he practically did by the allowances made in connection with it, and the country received a net sum of actually below

90 for 4 per cent. debentures, which were sold at a larger discount than 10 per cent.—was that the market rebounded immediately, and the quotations advanced from 1¼ to 2¼ per cent. a comparatively few days after this loan was placed on the market. That some person had made that enormous sum of money, owing to this sacrifice of Canadian interests, was now a matter of history, unfortunately. This was a matter of fact that no statement and no special pleading, or the advocacy of friends could alter. He was only induced to draw attention to it specially at the present time because he felt that it was a matter in which the interests of this country had been sacrificed, and that unless there was an out-spoken public sentiment in the country with relation to this question, it was likely that our interests would be so sacrificed in the future as had been the case in the past. He now came to a claim which, he thought, the hon. gentleman had very unfairly made in connection with this subject. The hon. gentleman alleged that he had reduced the rate of interest, and this he (Mr. Tupper) maintained was very unfair. The hon. gentleman knew that if he was able to put a loan on the money market of the world on extremely favourable terms, he owed this to the high position to which the administration of the public affairs by the late Government had raised the character and the credit of Canada.

MR. CARTWRIGHT: Hear, hear.

MR. TUPPER said he had no difficulty in stating this, if not out of the hon. gentleman's own mouth, at least by his own hand. The statement and the true statement which the hon. gentleman published in London and offered to the financial public as to the condition in which Canada had attained step by step during the seven years of the late Government's administration, gave the hon. gentleman a position on the money market that no other Finance Minister of Canada had ever before enjoyed, because he was able to give them, from the public records of the country, the increased value of its trade, which, together with the declaration which he made

as to the wisdom of the expenditures of public money by the late Government and the effect which these expenditures had had on the trade, business, revenue, character and credit of this country, was all stated in such clear and unmistakable characters by the hon. gentleman's own right hand and signed by his own name, that down to the end of time he would never be able to controvert the position which he (Mr. Tupper) took; and this was, that the hon. gentleman owed the financial position in which he found this country, not to any act of the present Administration, but to the record that he was able to present to the people of England and to the financiers of the Mother Country as to the character and position that Canada's credit had attained, and justly attained, under the administration of the late Government. Certainly, when they remembered that the very first step of the hon. gentleman, after Parliament opened, with regard to his financial administration, was to make the astounding declaration, and a declaration made for the first time, that the revenue of Canada would not meet its expenditure, and that a deficit must be provided for by additional taxation, was one which the hon. gentleman would not say was calculated to increase the credit of this country; and, therefore, the hon. gentleman owed his position entirely to the steps that he was able, under these circumstances, and under these exceptional circumstances, to point to; and to the high position in which the credit of Canada had been placed, and to the remarkable position which the money market had then assumed, and which had not presented itself during the ten previous years in Great Britain. Under these circumstances, if the hon. gentleman had succeeded, as he maintained, the hon. gentleman would have succeeded if he had adopted the same course, the wise, the obvious, and the politic course of the Government of South Australia, and offered the debentures of Canada to open competition, he had no doubt that the hon. gentleman would have received a sum of money which would have enabled him to claim, and justly claim, the credit of having reduced the rate of

interest; but he controverted the hon. gentleman's claim *in toto*. He held that when the matter came to be examined in the light of the facts, it would be found that the hon. gentleman had no foundation on which to rest any such claim. What had been one of the hon. gentleman's charges, from year to year, from the very first hour that he was entrusted with the financial management of this country? Every person knew that one was: "Look at the enormous accumulation of accruing obligations that have been thrown upon my shoulders, and which I have been compelled to meet." He must confess that he had felt that the hon. gentleman was trifling with the intelligence of Parliament and the intelligence of this country, when he ventured to put forward such a statement, and to say that the debt of Canada was increased, because 6 per cent. or 7 per cent. debentures were falling due when the credit of the country was such that he had but to ask for the money to obtain it to any extent, not to incur fresh indebtedness, but to meet past obligations accruing which did not touch the credit of the country in the slightest degree. If the hon. gentleman had required fifty millions to meet accrued debentures falling due, he knew right well that it would not have touched our credit in the slightest degree, or increased his embarrassment, or affected, in the slightest degree, any floated loan; because, all he would have had to say to the holders of these loans would be that Canada was in such a position to-day that she could obtain money on infinitely better terms than these debentures were sold for; and therefore, all the hon. gentleman had to do was to substitute one for the other. The hon. gentleman, therefore, knew that, if he had reduced the rate of interest, he owed it not to his own financial skill, but entirely to the fact that these six per cent. debentures, as they fell due, could be replaced by debentures obtained on more favourable terms than was the case when these other debentures were issued; and, therefore, the larger the amount of 6 per cent. debentures which matured, and which the hon. gentleman was called to meet, so much the better for him, and by so much more could he



reduce the rate of interest, and, instead of having been a disadvantage, this was the greatest possible advantage. It was putting the financial position of the country in a better state, because, with this increased credit, the hon. gentleman was able to obtain any money he required, not to increase the indebtedness, but to meet indebtedness already incurred, at a lower rate of interest. Therefore, that which the hon. gentleman had again and again made the subject of complaint, was the only thing that gave him the slightest claim or the shadow of a ground for a claim for having reduced the rate of interest; and, if the hon. gentleman was addressing financial men, he would not venture to advance a claim of that character. They found by looking at the Public Accounts that the 6 per cent. debt, in 1873, was \$46,445,371, and in 1877, it had fallen to \$36,436,146, showing a decrease of no less than \$10,909,225, all of which was the greatest boon that could happen to the hon. gentleman, because he was enabled to obtain money on better terms for the purpose of meeting these debentures as they fell due. In 1873, our 4 per cent. debt amounted to \$12,182,436, and in 1877, the Public Accounts showed that this 4 per cent debt had risen to \$66,045,861, showing an increase in 4 per cents. of \$53,866,435. Of this, there were \$16,060,000 of the Imperial Guaranteed Loan, which the hon. gentleman had at his disposal.

MR. CARTWRIGHT: Every penny of which was borrowed before I came to office.

MR. TUPPER said the hon. gentleman would find that he was now dealing with the Public Accounts in which he had the advantage of \$16,060,000 of the Imperial Guaranteed Loan.

MR. CARTWRIGHT: The hon. gentleman has got entirely astray. He ought to know that his own colleague, Mr. Tilley, borrowed the last half of that in 1873, and that Sir John Rose borrowed the other half in 1868 or 1869.

MR. TUPPER said the hon. gentleman had, as he stated before, a guaranteed loan to the extent of \$16,060,000.

He (Mr. Tupper) took the figures from the Public Accounts, and the hon. gentleman would find them there.

MR. CARTWRIGHT: If the hon. gentleman wishes to persevere in his statement, there is no harm, but, I presume, he wants to be corrected on a simple mistake of fact. Mr. Tilley borrowed \$16,000,000 in 1873, and that was the only loan made, so that there cannot, by any possibility, have been more money loaned in 1873-4 than \$1,800,000.

MR. TUPPER: The hon. gentleman knows we left a large guaranteed loan, of which he made use after he came into power.

MR. CARTWRIGHT: That was for the Intercolonial.

MR. TUPPER said he would treat the question from another standpoint. In 1874, the hon. gentleman negotiated a loan of \$19,466,666; in 1875, a loan of \$4,866,666; and in 1876, of \$12,166,606, making altogether about \$36,500,000. There were also minor items to the extent of \$1,306,435, which brought the amount up to about \$37,806,455. All these loans were floated at a discount of from say 9 per cent, with 1 per cent commission and  $\frac{1}{4}$  per cent. brokerage. He wished to refer to the Public Accounts in order to show the hon. gentleman where his fallacy lay. He found that the discount on the loan of 1874 was \$2,211,796, the discount on the loan for 1874-5 was \$305,508, and the discount on the loan of 1875-6 was \$1,168,803, making in all \$3,686,107, which must, of course be charged against the country in the public debt which we would have to pay, and for which we had not received a single dollar. Now, what was the effect of that in the calculation of the rate of interest? A little over 10 per cent. on the \$36,500,000 loan which the hon. gentleman floated. The result was, taking these discounts of \$3,686,107 to which he had referred into consideration, that the net debt of 1877 was \$133,208,699. That net debt was subject to a reduction for the calculation of the rate of interest on \$3,686,107, so that the hon. gentleman based his claim of having reduced the rate of

interest by computing 4 per cent. on an amount of money which the country never had and never would receive. The actual amount of interest paid, making allowance for the \$200,000 obtained by substituting the 4 for the 6 per cents. was \$6,683,912, which would give 5.16 on the net debt, instead of 4.82 as claimed by the hon. gentleman. By thus omitting to calculate the interest paid on an amount of money which the hon. gentleman sunk in the transaction, which the country never received, but which would have to be paid when it became due, the hon. gentleman was able to show a reduced rate of interest. If, therefore, there was any alteration at all, that could not be placed to the credit of the hon. gentleman, but to his debt. Let him illustrate this in order to show the House what he meant. Suppose the hon. gentleman instead of putting a 4 per cent. loan on the market at a discount of 10, thus obtaining 90 per cent. and making the discount on \$3,686,000 in these transactions, he put a 3 per cent. loan on the market, and only got 50 or 60 instead of 90 per cent. for his debentures, he would have been able to make a much stronger case for the credit of reducing the rate of interest. He would then have calculated his three per cent. as against the total amount of debentures he would have to redeem in the end, instead of calculating it on the amount of money he received. In this lay the fallacy on the part of the hon. gentleman. He (Mr. Tupper) would not say it was anything more than a fallacy; but a most unfair comparison was drawn as to the rate of interest paid by the hon. gentleman. As he (Mr. Tupper) had said, it was only by calculating the interest upon the amount of money which had not been received, but which, unfortunately, would have to be paid, that the apparent reduction and the rate of interest was shown; but that apparent reduction would be much greater if the hon. gentlemen, instead of effecting a 4 per cent. loan at 90 per cent. deducting the discount, had floated one at 3 per cent. debentures at 60 per cent. He would not occupy the time of the House further with this matter; he had undertaken to move this motion

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in the place of Mr. McCarthy, and had given this brief statement of fact as they presented themselves to his mind.

**MR. CARTWRIGHT** said he doubted if any course which the Government had seen fit to pursue in circumstances of very considerable difficulty, could have been more amply and abundantly justified than was the course pursued by them in the autumn of 1876, when they authorized the contraction of a loan in London. He must say, therefore, that nothing could have astonished him more than the remarks made by the hon. member for Cumberland, after the spectacle which every stock exchange in Europe presented during the last eighteen months. If the hon. gentleman had been pleased to inform himself as to the real state of things there, recollecting also the trying period through which this country had lately passed, and the advantages of the transaction then made, he would not now have got up and assailed either the Government or the Finance Minister for having contracted that loan. He might refer the hon. gentleman to an ancient colleague of his own—from whom, as it was well known, he (Mr. Cartwright) had no reason to look for favours. The gentleman to whom he alluded came forward in the interests of common truth and justice, in the interests of the country, which he knew might be seriously affected if the House were to commit itself to the absurd propositions of the hon. member for Cumberland, and pointed out to his quondam colleagues the grievous errors they made in treating of this question.

**MR. MITCHELL**: There have been many eccentric things lately.

**MR. CARTWRIGHT**: The hon. gentleman has spoken too truly. The gentleman to whom I allude is able to form, perhaps, a more honest and impartial judgment, with regard to constitutional questions, than any other man now living in Canada.

**MR. MITCHELL**: He is in his second childhood, I think.

**MR. CARTWRIGHT**: I am not going to be diverted from my present purpose; but I can say to the hon. gen-

tleman opposite that, though the gentleman be in his second childhood, yet he is a master for him on any question.

MR. MITCHELL : I am ready either for him or you or both together.

MR. CARTWRIGHT said the first charge which the hon. gentleman levelled against him was, that he had introduced this loan in the market at a fixed price. Then he proceeded to assert very strongly that the late Government had raised the credit of Canada. This, let it be remembered, was in reference to the transaction of 1876, three years after the hon. gentleman had gone out of power, so that he (Mr. Cartwright), by reason of this high credit which Canada obtained under the administration of hon. gentlemen opposite, should have been able in 1874 to get more favourable terms than he obtained. Then the hon. gentleman pointed out very truly that a short time after he (Mr. Cartwright) effected this loan, the Government of South Australia negotiated a loan for £500,000 sterling on more favourable terms than he obtained. But had the hon. gentleman known the high position which the Australian colonies occupied in London; had he known the resources which these colonies had at their command, and the way in which their securities were looked upon in the Stock Exchange, he would have been aware that it was no wonder the Australian colonies had been able to command 5, 6 or 7 per cent. more for their securities in the London market than we could. As the hon. gentleman had laid so much stress on this, he (Mr. Cartwright) would devote a few minutes for the purpose of enlightening him as to the position of the Australian colonies. If a comparison was drawn between these colonies and Canada, it would be enormously to the advantage of the former. In the first place, nearly all the Australian colonies had managed their public works in such a fashion that a very considerable net revenue was derived therefrom—a state of things which, he regretted to say, was very different from that which prevailed in Canada, where, with the exception of the Welland Canal, we had not a single public work from which we derived any pro-

fit, but rather the reverse. These Australian colonies, as he presumed nearly every member of the House knew, were colonized exclusively from England. Not only were they well known, therefore, in England, but they had in the Mother Country numerous representatives—men of great wealth and high position. In order to give the hon. member for Cumberland some idea of the enormous advantages which Australian financiers had in negotiating their loans, he would just mention one little circumstance which came under his own notice with respect to one of these colonies, and that not the wealthiest. At a meeting (by no means a large one) held in a room there were no less than nine gentlemen coming from that colony, each possessing incomes of from £30,000 to £50,000 sterling. When, therefore, there were in England numerous gentlemen possessed of so much wealth ready and willing to invest in Australian securities, he need not say there was extremely little difficulty in floating Australian loans. He was credibly informed that at this moment nearly two-thirds of the Australian loans lately floated were held by Australians, or persons who had been residents and still had large interests there. He did not think that at the present time two persons, or even one person, could be found in our colonies who held any of our 4 per cents. He need not point out to business men the enormous advantage it would give any Canadian Minister if he were able to command such a large number of subscribers in Canada, or amongst persons who had been residents in this country. Any one of the nine gentlemen to whom he had referred could have made the loan of £500,000 out of his own pocket without any material inconvenience. But the hon. gentleman said that the advice of our agents ought to have been taken *cum grano salis*, because they were large subscribers. Now, the hon. gentleman must have known when he made that statement, because he (Mr. Cartwright) had expressly mentioned it before, that the price of this loan was fixed before the agents were asked to subscribe.

SIR JOHN A. MACDONALD : When did the hon. gentleman state that ?

MR. CARTWRIGHT: I stated it, to the best of my recollection, in my reply to the motion moved by the hon. member for South Ontario last year.

SIR JOHN A. MACDONALD: I think the hon. gentleman is mistaken; this is the first time I have heard of it.

MR. CARTWRIGHT: I may be mistaken as to the occasion when I made this statement, but I recollect telling the agents that for good and sufficient reasons I should require them to make our firm subscription, as it is technically called, themselves. I think I mentioned that in my Budget speech.

MR. GIBBS (South Ontario): The hon. gentleman stated, in reply to myself, that the agents did not buy the securities on their own responsibility, but at his direct request.

MR. CARTWRIGHT said he stated the other matter as well, and to the best of his recollection, he believed it was in reply to the hon. member for South Ontario. It was just possible, however, as he had touched on this matter in several different places, that he may have made this statement elsewhere. In any case it was but fair that he should repeat it now. As he had stated over and over again, the sum total which these gentlemen could possibly have received from the subscription of £250,000 sterling was not such as men who had a good connection could consider an inducement for them to play false with him. He did not wish to shield himself behind the agents, nor did he pretend that it was the duty of himself or any other Finance Minister to act blindly at their dictation. He had good reason to know that the advice which these gentlemen gave was honourable and straight forward, that they had given him the best advice in their power, and that they had assisted him, on all occasions, as far as they possibly could. Now, as a matter of fact, he knew that many months after this loan had been issued the agents held—because they were unable to sell the entire amount of their sub-

scriptions—he believed the whole of them, all through the months from January to June; after that period, the agents continued to hold these subscriptions and were unable to dispose of them. This explanation, he hoped, would put an end to any question of their having made an outrageous profit out of their own clients. It was not their business, as a rule, to hold these securities; they were like other great capitalists in London, in the habit of buying such securities for the purpose of selling again. He might add that it would certainly be to the advantage of Canada that those who purchased her securities should make not a large profit, but some profit on the transaction, because, having so many loans to negotiate, it was to her interest that her loans in the past had not involved loss to the original purchasers. But the hon. gentleman went on to say that, at the time he (Mr. Cartwright) went to London, he had an extraordinary chance, because the banks were choked with money. He might ask the hon. gentleman why he supposed the banks were so choked, and if it was not because credit was almost paralysed in England, and because, at that particular moment, such had been the losses by English investors in foreign stocks, and such were the affairs of Europe, that men preferred to hold their money, even at small rates of interest, than lock it up in investments of any kind. The hon. gentleman had told them it was easy to obtain more for a loan of millions than for a single debenture, but the experience of every man who had negotiated loans of considerable amount in London was to the contrary; and the apparent inconsistency as to the Australian loans arose from the fact that the transactions in these securities were so small that they offered no indication of the real state of the market. Now, at the moment that he was floating that loan in London, another country, a favourite in the London market, a country of high standing, and as little likely to be involved in the European troubles as any country might be—he referred to Norway—was endeavouring to float a loan. It offered better terms than he did, but because they were a little later in the

SIR JOHN A. MACDONALD.

market they were unable to dispose of their securities until several weeks afterwards. Although his time was limited, he must take this opportunity of calling attention to the simple fact, which he thought all hon. gentlemen must now understand, that it was rarely, if ever, the case that any Finance Minister had such a combination of adverse circumstances to meet as there was in 1876. When he prepared to float that loan, it was asserted that we should have a heavy deficit; it was also known that the harvest of 1876 had been, to some extent, a failure, although the full extent of the calamity was not known even to ourselves until the succeeding spring. It was known, also, that the whole continent of Europe was disturbed, and that if the loan was not made at that particular time, it was a matter of considerable doubt whether it could be made for a long period afterwards. He repeated again that, but for the armistice between Turkey and Servia, it would not have been possible to have placed his loan with any chance of success in the English market; and, so closely were they run, that even less than 48 hours after the completion of the loan, the relations between England and Russia had become strained to such a degree that it would have been a matter of difficulty for him to secure subscriptions had he attempted it at a later day. He called attention to the significant fact, that, although the English banks might have been overflowing with money, there was, during the year 1877, almost an entire cessation of loans or borrowing in London. Such was the discredit of all securities, that even the metropolitan securities of London, the richest city of the world, were unable to be disposed of when they were offered by public tender in the manner the hon. gentleman said we should have adopted. The same occurred with regard to the Corporation of Birmingham, another wealthy corporation, both being securities in which trustees and others could invest, an advantage which was not permitted, unhappily, in the case of Canada. In connection with the remarks of the hon. gentleman as to the inexpediency of floating loans at discount, he had made a rough calculation

of the advantages which would accrue to this country from borrowing as he (Mr. Cartwright) did at 4 per cent., at a discount of 10 or thereabouts. It had been said that he would have done more wisely to have borrowed at a premium of 105, or 5 per cent. Supposing it was necessary, as the House knew it was or would be necessary, to borrow a sum of not less than \$100,000,000. At a discount of 10 per cent. or thereabouts, he would have incurred a nominal debt of \$111,000,000, on which we should have to pay year by year \$4,440; if he had borrowed at 5 per cent., on a premium of 105, he would have required to borrow \$95,200,000, on which, year by year, we should have to pay \$4,760; that was to say, he would require to pay annually a sum of nearly \$320, during the next thirty years, more than under the present arrangement. It was not in the nature of things that we could float a loan at a premium on such advantageous terms as a loan at discount. There was always a greater proportionate loss in attempting to float a loan under a premium. In 1873, when Mr. Tilley negotiated his loan for \$1,800,000,000 he only obtained 103½; that was a 4 per cent. loan, guaranteed by the English Government as well as by our own, and, therefore, the highest kind of security ever offered to the English market; nevertheless, Mr. Tilley was not able to sell that loan within 5 or 6 per cent. as good prices as Sir John Rose obtained for his loan in 1868. He did not impute blame to Mr. Tilley. He pointed it out as a curious illustration of the difficulties which would always attend Finance Ministers in dealing with these securities in the London market. Sir John Rose obtained 110, while Mr. Tilley could only get 103½. He simply quoted this, as it was a very favourite line of argument pursued by the hon. member for Cumberland (Mr. Tupper), who had explained to the House that the moment he had been withdrawn from the Government of this country, then came storm and desolation upon us, commercially and otherwise, in an unprecedented degree, and all because he had been withdrawn. He (Mr. Cartwright) had now pointed out that it was the other way, that when the hon.

gentleman was in the Government, loans were negotiated at 6 per cent.—worse terms than before.

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

### After Recess.

#### PRIVATE BILLS.

##### THIRD READINGS.

The following Bills were read the third time and passed :

Bill (No. 29) To authorize and provide for the winding up of the Canada Agricultural Insurance Company.—(Mr. Kerr).

Bill (No. 54) To incorporate the Fishwick's Express and Merchants' Forwarding Company (Limited)—(from the Senate).—(Mr. Tupper.)

#### ONTARIO EXPRESS AND TRANSPORTATION CO. BILL.—[BILL No. 7.]

(Mr. Oliver.)

##### CONSIDERED IN COMMITTEE.

House resolved itself into Committee on said Bill.

Progress ordered to be reported.

House resumed.

Progress reported.

##### SECOND READINGS.

The following Bills were read the second time :—

Bill (No. 72) (from the Senate) To incorporate the Missionary Society of "The Bible Christian Church in Canada."

Bill (No. 71) (from the Senate) To confer certain powers on the Montreal Building Association, under the name of the "Montreal Investment and Building Company."

#### VICTORIA ELIZABETH LYON DIVORCE BILL.—[BILL No. 74.]

(Mr. Cameron.)

##### FIRST READING.

MR. CAMERON moved the first reading of the Bill (from the Senate) For the relief of Victoria Elizabeth Lyon.

Motion agreed to, on the following division :—

MR. CARTWRIGHT.

Archibald,  
Bain,  
Bertram,  
Biggar,  
Blackburn,  
Blake,  
Bowell,  
Bowman,  
Buell,  
Bunster,  
Burk,  
Burpee (St. John),  
Burpee (Sunbury),  
Cameron,  
Campbell,  
Carmichael,  
Cartwright,  
Charlton,  
Christie,  
Church,  
Davies,  
Dawson,  
Dymond,  
Farrow,  
Ferris,  
Fleming,  
Fleisher,  
Fraser,  
Galbraith,  
Gibbs (North Ontario),  
Gibbs (South Ontario),  
Gillies,  
Goudge,  
Greenway,  
Guthrie,  
Haggart,  
Higinbotham,  
Horton,  
Kerr,  
Kirkpatrick,

Baby,  
Barthe,  
Béchar, d,  
Benoit,  
Bernier,  
Blanchet,  
Bolduc,  
Bourassa,  
Boyer,  
Brooks,  
Brown,  
Caron,  
Casgrain,  
Cheval,  
Cimon,  
Costigan,  
Coupal,  
Cuthbert,  
Daoust,  
Delorme,  
Desjardins,  
De St. Georges,  
Devlin,  
Domville,  
Dugas,  
Fiset,  
Geoffrion,  
Gibson,  
Gill,  
Holton,  
Hurteau,

#### YEAS :

##### Messieurs

Little,  
Macdonald (Centre Toronto),  
Macdougall (Elgin),  
McDougall (Renfrew),  
MacKay (Cape Breton),  
McKay (Colchester),  
Mackenzie,  
Macmillan,  
McCallum,  
McCraney,  
McGregor,  
McNab,  
Mills,  
Mitchell,  
Monteith,  
Norris,  
Oliver,  
Orton,  
Paterson,  
Pickard,  
Plumb,  
Ray,  
Robinson,  
Ross (East Durham),  
Ross (West Middlesex),  
Ross (Prince Edward),  
Scatcherd,  
Schultz,  
Scriver,  
Shibley,  
Thompson (Haldimand),  
Trow,  
Wade,  
Wallace (Albert),  
White (Hastings),  
White (Renfrew),  
Wood,  
Wright (Pontiac),  
Young—79.

#### NAYS :

##### Messieurs

Irving,  
Jetté,  
Killam,  
Lafamme,  
Lajoie,  
Langevin,  
Langlois,  
Lanthier,  
Laurier,  
Macdonald (Cernwal),  
McDonald (Cape Breton),  
McGreavy,  
McIntyre,  
McIsaac,  
Malouin,  
Methot,  
Montplaisir,  
Ouimet,  
Pinsonneault,  
Pope (Compton),  
Pouliot,  
Richard,  
Robitaille,  
Roy,  
Short,  
Smith (Peel),  
Smith (Westmoreland),  
Stephenson,  
Taschereau.—80.

Bill read the first time.

## RATE OF INTEREST BILL.—[BILL No. 5.]

(Mr. Barthe.)

## SECOND READING.

Order for second reading read.

MR. BARTHÉ said that there were two plagues which affected society, bankruptcy and usury. He had previously introduced a Bill to abolish one of these evils, and he now proposed a Bill with the view of removing the other; consequently his object was a very practical one. This Bill had no other meaning than being a protest against usury. This was the reason why he had fixed the interest at 8 per cent., this being a fair price for money lenders and the interest that a borrower could afford to pay. The provisions of this Bill provided that the legal rate of interest should be 8 per cent., but he desired it to be clearly and distinctly understood that if the second reading of this Bill was voted, it was his intention and object to ask the House to refer it to a Committee in order to have the legal rate of interest fixed at six per cent. and at eight or nine per cent. for the *intérêt conventionnel*, according to the discretion and wisdom of the Committee, for this last part viz: conventional interest. He wished this to be clearly understood in order that there might be no misunderstanding on the subject. He thus acted in accordance with the opinion and desire of a number of hon. members who had given him this advice. His personal opinion was that the value of money ought to be established and determined, and its price settled. Money was not merchandize. This was his individual opinion, but he did not desire to discuss this theory in so enlightened a House. His object was practical. It was provided in the Bill that the rate of interest should be 8 per cent.; but he understood that the general opinion in the country, and above all, in the Province which he had the honour to represent, as well as of a great number of hon. members, was that the legal rate of interest should be 6 per cent., and that the rate should be fixed in order to destroy usury. He would repeat that the object of this Bill was

directed against usurers who were ruining the country. A penalty was provided in it against those who charged a higher rate of interest than it allowed. Another clause provided that persons so offending could be effectively compelled to reimburse the money so obtained. A third clause provided that such persons should be obliged to answer on oath, and another, that this law applied to all loans or monetary contracts, whatever. With these observations, he would submit this Bill to the House, and he would conclude by saying that, undoubtedly, public opinion in, as well as out of, the Province of Quebec was favourable to this measure which he had the honour of proposing; and he hoped that, even in this House, the majority of the members would be in favour of the Bill, which was so proper and just in its nature, and so greatly in the interest of the counties which they had the honour of representing.

MR. LANGEVIN said that the Bill fixed the rate of interest at 8 per cent. He did not know whether it could be changed in Committee, for the present legal rate was 6 per cent. He consequently could not vote for this measure as it stood. If the rate had been stated at 6 per cent., the Bill would probably have been read a second time without opposition.

MR. MACKENZIE said he was not able to understand why the hon. gentleman had fixed the rate at 8 per cent., because if they could establish the rate of interest, it ought to be made very low. It would be of great benefit to the people, if they could thus get money at 3 or 4 per cent.; and, if it merely required an Act of Parliament to accomplish this, they ought to do it by all means. Speaking seriously, he was quite certain that any interference with free-trade in money would only be disastrous to borrowers in the general way, for while the old restrictive laws were in full operation, the price of money was very much higher than since their abrogation.

MR. BOWELL: No.

MR. BLANCHET: The contrary has been the case.

MR. MACKENZIE said he could only say that such was not his experience. He recollected very well when in the western part of this country, the ordinary rate paid for money, except on very remarkable occasions, was from 15 to 20 per cent. This was undoubtedly the fact; but, since the usury laws were abolished and free-trade in money was established, money had been brought into the country in sufficient quantities to serve the wants of the people, and it could now be obtained on any reasonable security for 7 or 8 per cent.; and a large amount could be secured at a less rate. Any interference with these laws, he was sure from their own experience, apart from the general question of a general operation of a law of this kind, was sure to be prejudicial to those who most required money. For this reason he felt compelled to vote against the Bill, and to use every effort in his power to prevent a return to the old system of things which gave, practically, to a few men the monopoly of the money market.

MR. OUIMET said that, although he was not of opinion that the price of money could be fixed by the Legislature, he considered himself bound to vote for this measure. He did not understand that it fixed the price of money; it would merely limit the rate at which it might be legally loaned, intending to have it amended in that direction before the Committee.

MR. MACKENZIE: You establish a maximum rate.

MR. OUIMET said it was proposed to bring the maximum of the rate to six per cent., but he would not be ready to vote for this proposition. He thought that the highest price of money in Canada was 8 per cent., at which figure they could limit it without any danger.

MR. BLAKE: If that is the highest price, what is the use of the law?

MR. OUIMET said that this was the highest value of money. He understood that this Bill was to prevent usury. It was not intended to protect those who had very large means, but the whole public against the usurer, and what was called "shaving." The moment the large amount of money

which was at present in his part of the country, and especially in Montreal, employed in shaving notes, and gambling in stock, was withdrawn from these operations, it would find its way through the country and go to aid industries and agriculture. They had been told by the hon. the Minister of Finance that the great pursuit of this country must be agriculture, and that too many of our people were devoted to trade and industrial occupations. Now, the way in which agriculture could be advanced, was by bringing capital to be invested in it. The moment that money was withdrawn from note shaving and stock gambling, it would go to the agricultural districts and find there profitable employment in promoting this great interest. It might be said that this would withdraw capital from industrial pursuits which he wished to see protected; but on the other hand, he thought he was quite safe now in following the lead of the hon. the Minister of Finance, who with the hon. the Prime Minister and all his followers, had been pleased to tell the House that this Government would be in power for the next twenty years, until which time we would not have Protection. If so, he thought it would be a good thing for this country to direct capital towards the development of our agricultural pursuits.

MR. MACMILLAN said it might appear singular that he, as a Protectionist, should vote against this Bill; but he was merely returning the compliment which the Government had paid him on a previous occasion. He well remembered, as a Protectionist, that he had succeeded, through the assistance of the Government, in having a strong Protectionist measure carried, and as the hon. the Premier had announced that he would support the principles of Free-trade in connection with money, he (Mr. Macmillan) was very happy in being able to assist the hon. gentleman. It was the most dangerous thing that could possibly be done in any country, to try to interfere with its monetary affairs. Like most of the people who had lived for any considerable time in Ontario, he had seen the rates of interest, when the usury laws

MR. BLANCHET.



were in force, as high as from 24 to 30 per cent. and in very many instances as high as 48 per cent. Hon. gentlemen opposite might ask how this could be possibly done; nothing could be easier. It was as easy as it was under the old election laws to purchase a voter. All one had to do was to borrow \$500 and pay \$150 for a horse worth about \$60, and thus the laws were thoroughly evaded. Just so was it with the election laws as he had understood. He thought it would be equally reasonable for hon. gentlemen to say that a bushel of wheat under any circumstances should not be sold for more than \$1, as to say that money should not be loaned for more than 6 per cent. per annum. As we were Free-traders to a certain extent, in that way everything should have its value. If a man was willing to pay 10 per cent. per annum, let him do so; and if it was worth 12 per cent. to him he could do so. As the hon. the Premier stated, money could now be obtained, by those who gave ample and good security, for 8 per cent. Every dollar that was required could be so secured on real estate or personal or other security; and, where it was invested in legitimate business through the banks, any amount on reasonable security could now be secured at seven per cent. To place the rate at 8 per cent.—he now spoke for the whole Dominion—was simply absurd. They might as well put it at 24 or 30 per cent., because then it might come down to the proper rate. If the rate was fixed at six per cent., they might rest assured that the law would be evaded in every case where persons saw fit to do so. Under these circumstances, he would vote against this measure.

Mr. CHARLTON said he believed that a usury law would work to the detriment of the borrowing class in all cases. A great many States on this continent had tried usury laws, and a great many still had them on their Statute-books; but he believed that, in every instance, their effect had been to render it more difficult for borrowers to get money. In all cases where any risk was incurred, the borrower was in-

variably called upon to pay the lender's risk. In the State of New York, the greatest of American States, where enormous monetary transactions were carried on, they had a law on the Statute-book which provided that, in case of usury contrary to the law, the principal and interest should be both forfeited. No law could be more stringent, and yet it was uniformly violated, and yet it was a dead letter. Lenders were in the habit of charging from 14 to 24 per cent. in the face of it, and where one transaction took place at the legal rate, 7 per cent. 100 were made at rates varying from 14 to 24 per cent. In the interest of the borrowing class in Canada, they wanted a law of this kind. If rates of interest were found unrestricted, capital would flow into the country to be invested; but if, on the contrary, by law, rates were placed at a sum less than lenders were willing to lend, money would shun Canada; and, in consequence, rates would be higher than they were now. In the interest of borrowers, all Bills of a similar character to this one should be rejected by the House.

MR. BOWELL: What States in the American Union have Free-trade in money?

MR. CHARLTON: The State of New York modified its usury law, permitting banks to charge such rates as they chose; and immediately upon that modification, rates of interest fell in the State very materially.

MR. BOWELL: When was this?

MR. CHARLTON: I am not prepared to give the exact date, but this happened some three or four years ago.

MR. METHOT said that the question of usury, which was now before the House, was certainly one of the most important matters that could possibly come before them. This was not a new question. Usury had always existed in all countries—in all countries of antiquity, and among the Jews and Romans as well as among the people of all modern countries. Usury had only been considered in one light. Everywhere it was looked upon as a public calamity, and the law which protected the usurer was a law in

favour of the strong against the feeble, and in favour of the smaller number against the greater number. They were here to protect and render equal justice to all. They were here to protect the feeble against the strong; and also to promote as much as possible the interests of the people—not of a few individuals, but of the people in general. Hence, between the interests of a few capitalists and the interests of the greater number, there was no ground for hesitation. Was a law which had for its object the fixing of the rate of interest, a law that would be for the well-being of this country? For his part, he did not hesitate to say that this was the case. We had in this country too much capital invested in monetary institutions, owing to the rate of interest and the large dividends afforded and declared by these institutions. This system as its results proved dazzled the eyes of capitalists, and prevented them from placing their money in industrial institutions, which would promote the prosperity of this country. On the other hand, why should capitalists invest their funds in real estate when they saw that even in the most favoured places, such for instance as Montreal, these investments did not produce more than 5 or 6 per cent. as a return, per annum. While in other towns, such as Quebec—and he unfortunately knew this from experience—many properties did not yield an annual return of more than 3 or 4 per cent. and in the country, this state of things was even worse. What did capitalists then do? They would place their money in banks, and thus without any trouble secure a return of from 8 to 10 per cent. per annum; and this was so much money and capital that would be useless, as far as the well-being of this country was concerned. If not prevented by their conscience, they would loan money on mortgage or otherwise to private individuals, dividing their means up into small sums, and by this means, such high rates of interest were obtained that he was really ashamed to mention them in this House. What did they see in the country as well as in the towns? Hardly had a man succeeded in scraping together a few hundred dollars, before he hastened to lend his money,

and he did so the greater part of the time at such extortionate rates that those who borrowed could never recover from their dependent position. The interest ate up their capital. Would hon. members, in view of these facts, be surprised to find that our industries were in a languishing condition, or to hear that there were so many failures, so much ruin, and so much misery in the country. There was no reason for such surprise, because with these excessive rates of interest at which money was loaned, our industries could not prosper, and in view of these facts, they might be certain of one thing, that failures instead of diminishing, would continue to increase in number. One of the hon. gentlemen who had preceded him had said that money was merchandize. Admitting which—however, he would not do—that money was merchandize, he could never consent that it could be looked upon like any article of ordinary merchandize. Money, for instance, did not deteriorate in value like other effects. It could vary in value, it was true, but slowly. It was the basis on which depended the valuation of all other merchandize. It was then a good thing—he would even say it was necessary—that the rate of interest should be fixed from time to time. Moreover, money always had its course. If a man borrowed a hundred louis, he would not be uneasy if he had a hundred louis in money in his pocket to pay them; but he might be ruined if he were asked for this money at any moment, when he might not have it to spare, even though his property and merchandize were worth double the sum that he owed. It would be said in favour of the usurer before this House, that usury rendered a service to the poor, since there were so many borrowers, in spite of the high rate of interest demanded; but it might more particularly be said that necessity knew no reason, and that he who borrowed was forced to do so by the necessity of the moment. Besides, where was he, however poor he might be, that had no hope? and, when he borrowed this money, in 99 out of a 100 cases he felt sure he could repay it; but once in the hands of the usurer,

he was not allowed to escape from the toils until he had sold his property and his family was plunged into misery. He, for his part, believed that all those who wished to protect our agricultural class and our industries, and who wished to see our industries assume their proper position in this country, as well as all those who further desired to do an act of Christian charity with regard to the greatest portion of our population, ought to support with all their power the measure which was now before the House. An hon. member who had spoken before him had said that he could not support this measure because it fixed the rate of interest too high—at 8 per cent. For his part, he would not support this Bill in its present shape, if it was so fixed irrevocably; but, as the hon. member for Richelieu had explained, when moving the second reading of the Bill, 8 per cent. was but the maximum rate at which money was to be loaned. What the hon. gentleman wished, and what he desired, for his part, was that the legal rate of interest should be fixed at six per cent. Having made these remarks, he would not detain the House any longer.

Motion *negatived* on the following division :

## YEAS :

## Messieurs

Barthe,	Lanther,
Béchar, d,	Macdonald (Cornwall)
Bernier,	McCallum,
Blanchet,	Méthot,
Bolduc,	Quimet,
Bourassa,	Pope (Compton),
Bowell,	Pouliot,
Coupal,	Ross (Prince Edward)
De St. Georges,	Wade,
Ferguson,	Wallace (South Nor-
Fiset,	folk),
Geoffrion,	White (East Hastings).
Gill,	—24.

## NAYS :

## Messieurs

Appleby,	Jetté,
Archibald,	Jones (Halifax),
Baby,	Jones (South Leeds),
Benoit,	Kerr,
Bertram,	Killam,
Biggar,	Kirk,
Blackburn,	Kirkpatrick,
Blake,	Lafamme,
Borden,	Lajoie,
Bowman,	Landerkin,
Boyer,	Langevin,
Brooks,	Laurier,
Brouse,	Macdonald (Centre
Guell,	Toronto),

Burk,	McDonald (Cape
Burpee (St. John),	Breton),
Burpee (Sunbury)	Macdougall (East
Cameron,	Elgin),
Campbell,	McDougall (South
Carmichael,	Renfrew),
Caron,	MacKay (Cape Breton
Cartwright	McKay (Colchester)
Casey,	Mackenzie,
Casgrain,	Macmillan,
Charlton,	McCranev,
Cheval,	McGreavy,
Christie,	McGregor,
Church,	McIsaac,
Cimon,	McNab,
Cook,	Malouin,
Currier,	Mills,
Cuthbert,	Mitchell,
Daoust,	Montplaisir,
Davies,	Norris,
Dawson,	Oliver,
Delorme,	Palmer,
Desjardins,	Paterson,
DeVeber,	Pickard,
Devlin,	Pinsonneault,
Domville,	Plumb,
Donahue,	Ray,
Dugas,	Robinson,
Dymond,	Robitaille,
Ferris,	Rochester,
Fleming,	Ross (East Durham),
Forbes,	Ross (West Middlesex),
Fraser,	Rouleau,
Gibbs (North Ontario)	Roy,
Gibbs (South Ontario)	Scatcherd,
Gibson,	Scriver,
Gillies,	Sinclair,
Gillmor,	Smith (Peel),
Goudge,	Smith (Westmoreland)
Greenway,	Stephenson,
Guthrie,	Taschereau,
Haddow,	Thompson (Haldi-
Hagar,	mand),
Hall,	Trow,
Higinbotham,	Wallace (Albert)
Holton,	White (North Ren-
Horton,	frew),
Huntington,	Wood,
Hurteau,	Wright (Pontiac),
Irving,	Young.—122.

## WELLAND CANAL TENDERS.

## ADJOURNED DEBATE.

Order to resume the adjourned debate on Mr. Langevin's proposed motion "That an Address be voted to His Excellency the Governor-General, for copy of a return, showing: 1st. The amounts of the six lowest tenders received in September or October, 1873, for Sections 2, 3, 5, 6, 7, 12, 13 and 14 of the new Welland Canal, together with the names of tenderers; 2nd. The amounts of the six lowest tenders for the same Sections, received in 1874, together with the names of tenderers; 3rd. The names of the tenderers to whom these Sections were awarded; 4th. Copies of the Orders in Council

awarding such Sections; 5th. Copy of all Correspondence relating to such award," read.

Motion agreed to.

LAW OF EVIDENCE AMENDMENT BILL.

[Bill No. 41.]

(Mr. Kirkpatrick.)

SECOND READING.

Order for second reading read.

MR. KIRKPATRICK said the principle involved in the Bill had been affirmed by the passing of the Bill of the hon. member for North York. It was of much greater consequence to extend the principle to the class of cases set forth in this Bill, than to cases of common assault. When the Bill of the hon. member for North York was before the House, he (Mr. Kirkpatrick) stated that he was not prepared to go the length of allowing criminals of every description to plead on their own behalf, and that, if defendants in cases of common assault were allowed to give evidence, the principle should be applied to cases where a man's right to property might be involved. There were cases where a man's right of property might be brought in question in a criminal suit, and in such cases the defendant should be admitted as a witness on his own behalf. Such a principle was in accordance with the law of Ontario. A case in point had lately come to his knowledge. It appeared that a bridge over a stream, and which went across a man's farm, was used by the public, and when he attempted to close the bridge, not having obtained compensation from the municipality, he was indicted for destroying the bridge. He was not allowed to give evidence on his own behalf, and had he been found guilty, he would have been liable to a very severe penalty. He proposed, therefore, that in such cases, defendants should be compellable witnesses.

MR. DEVLIN said the Bill should not now be read a second time, as it was not desirable, on the eve of dissolution, if he might use the expression, to deal with so important a question in a loose way. He thought it should be left over

MR. MÉTHOT.

till next Session, in the hope that some large and comprehensive measure might be introduced, which would settle the question once and for all. He was opposed to the mode of procedure, which had prevailed for years, being changed in this way.

MR. PALMER said he was entirely opposed to any alteration in the procedure laid down in the ordinary criminal law, because he thought criminals might, if that law was altered, come to trifle with an oath. But, in the cases referred to in this Bill, which were almost similar in their character to civil cases, he did not think it would be right to entirely exclude a man from giving evidence on his own behalf. With regard to criminal matters, he might say that he did not approve of a man being "badgered" into making a statement, as was the case in France, which might damage him, but preferred the old English method of believing a man innocent until he was found guilty.

MR. BABY said that when the Bill proposed by the hon. member for North York was before the House, he called the attention of the Minister of Justice to the fact that its tendency was to change the present system of criminal procedure *in toto*, and that it would be opening a wide door for further changes. His prediction had, to a certain extent, been verified, for the hon. member for Frontenac, now introduced a Bill which would infringe on the Civil Law of Quebec and other Provinces. This Parliament had no right to legislate for the Province of Quebec or other Provinces in civil matters, and he would oppose the Bill to the utmost of his power. It would tend to cause perjury, which, as legal gentlemen well knew, was of too frequent occurrence already. A woman might, on behalf of her husband, be tempted to state that which was false, or she might do the same thing to injure him.

MR. CAMERON said the House had already affirmed the principle of the Bill. It had been conceded that, in cases of common assault, a person might be a competent witness on his own behalf. The class of cases referred to in this Bill were of a similar

character, and he could not, therefore, concur in the objection taken by the hon. member for Montreal East.

MR. LANGEVIN said that what they contended was that the rights of Local Legislatures should not be infringed. If the Bill, passed to its second reading it must be understood that it would be amended.

Motion agreed to.

House adjourned at  
Fifty minutes past  
Eleven o'clock.

## HOUSE OF COMMONS.

Thursday, 11th April, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### ELECTION OF A NEW MEMBER.

MR. SPEAKER informed the House that the Clerk of the House had received from the Clerk of the Crown in Chancery, certificate of the election and return of Thomas Robert McInnes, Esquire, to represent the electoral district of New Westminster, Province of British Columbia.

### QUESTION OF PRIVILEGE.

MR. COSTIGAN said he wished to raise a question of privilege, and read an article in which he had been seriously attacked. He thought the House would admit his right to justify himself, and he considered the rules of the House gave him the right to defend himself. He believed that he had been so attacked in several newspapers.

MR. HOLTON: I venture to say that it is very inconvenient, and that it is no question of privilege—

MR. MASSON: How do you know?

MR. HOLTON: For hon. gentlemen to answer strictures of the Press on their conduct. We have had somewhat too much of that this Session. I do not know to what the hon. gentleman proposes to call attention, but he avows that it relates to remarks of the

Press on his public conduct. We really cannot waste our time in controversies with the Press, which is open to any hon. gentleman who feels himself aggrieved. It is an abuse and not a vindication of the privileges of the House for an hon. gentleman to bring up these controversies here.

SIR JOHN A. MACDONALD said that he differed *toto cælo* from the hon. gentleman. He was surprised that an old parliamentarian like the hon. gentleman should make such a statement. Unfortunately, he had perceived that during the past two or three years the hon. gentleman changed his ideas of parliamentary practice according as the views of the day on a particular question made him lean one way or the other. Every hon. gentleman was the guardian of his own honour.

MR. HOLTON: Undoubtedly.

SIR JOHN A. MACDONALD: And as a representative of the people in this House, he not only had the right and the privilege, but he was bound in duty to himself and his position, and those he represented, to bring any matter affecting his position before the House. No one knew better than the hon. gentleman himself that the first thing done when a respectable periodical in England made a statement at variance with the fact regarding a member of the House, was, as a privilege and a duty, to bring it up in the House; and this duty and privilege was always respected and recognized in the Imperial House of Commons.

MR. HOLTON: Quote precedents for that. I deny it.

SIR JOHN A. MACDONALD said the hon. gentleman asked him to quote precedents. If he only had half an hour in the library—

MR. HOLTON: You had better take that half hour.

SIR JOHN A. MACDONALD: He would undertake to show that this was the case. There were innumerable precedents for this kind.

MR. HOLTON: I dispute the fact.

SIR JOHN A. MACDONALD said he had never before heard this matter questioned. This seemed something

like an attempt to muzzle an hon. gentleman. It was quite clear that the hon. gentleman was getting *blasé* with his long parliamentary experience and labours. If the hon. gentleman was *ennuyé* with this kind of thing he could retire. In what free body of representative men would anyone interfere between an hon. gentleman, a colleague and a brother member, who stated that he felt that it was his bounden duty to make an explanation in consequence of what was stated against him in the public Press.

MR. HOLTON said that such a practice would not be tolerated in England, and it was never tolerated here until a few years ago, when the right hon. gentleman led the House. The hon. gentleman (Mr. Costigan) was going to make use of his seat in the House to engage in a controversy with several journals.

AN HON. MEMBER: No; it is a defence.

MR. HOLTON said that this was a breach of the privileges of the House. The time of 206 gentlemen should not be taken up for an indefinite period with such a controversy. As to his being *blasé*, the hon. gentleman (Sir John A. Macdonald) had been some years longer in Parliament than he, and he was not disposed to exchange compliments with the hon. gentleman; but, if either of them were *blasé* he thought that the hon. gentleman was entitled to the palm. The hon. gentleman had shifted his position on this and various other questions with an alacrity and a facility of which he was by no means a master. He stood by the privileges of the House; and he would repeat, that it was an abuse of these privilege, for an hon. gentleman to engage the time and the attention of the House with any such controversy.

SIR JOHN A. MACDONALD said the hon. gentleman ventured to say that he had shown an alacrity to change in this relation, which was characteristic of himself (Sir John A. Macdonald), in one breath, while previously the hon. gentleman alleged that the practice of quoting newspapers arose in his time, when he (Sir John A. Macdonald) was leader of the

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House: If this were so—and it was not—he was merely carrying out the course which was sanctioned by himself.

MR. HOLTON: Since Confederation ?

SIR JOHN A. MACDONALD said that the hon. gentleman did not know but that the hon. member for Victoria would move to bring parties before the Bar of the House. The hon. gentleman knew nothing about the matter which it was proposed to bring up. There was a reason for [this attitude; the hon. gentleman thought that there was going to be some other matters besides newspapers to be brought up hereafter; and this they all knew.

MR. MASSON: Mr. Speaker—

MR. HOLTON: I have the floor. I rise to a question of privilege. The right hon. gentleman has made a statement, the purport of which I do not at all understand. He has made it in a menacing manner; he pointed his finger at me, and I call upon the right hon. gentleman to explain the meaning of this statement.

SIR JOHN A. MACDONALD: All I can say is, that, if I pointed my finger at the hon. gentleman, I take my finger back.

MR. MASSON said that, if there was anything without precedent in the House, it was the conduct of the hon. member for Chateauguay, who had disappointed his political and personal friends under the present circumstances. In his ten years' experience, he had never heard an hon. member oppose the bringing up of a question of privilege. Did the hon. gentleman not remember the newspaper correspondent which was brought before the Bar of the House by his late leader, Mr. Dorion, because of an article in the paper which displeased his own political and personal friends; and would he deny the hon. member for Victoria, N.B., the right of bringing up a question which affected him. The hon. gentlemen did not know what was in this correspondence. It might be an attack on another hon. member. During the past few days he had been disappointed

with the hon. gentleman (Mr. Holton), not only here, but in other places, forgetting the position he had formerly taken in this House. The hon. gentleman had not impartially considered the rules of the House, even regarding ordinary routine business; and he had allowed his partizan feeling, to interfere with his action; of this, they had had an instance, no later than that morning in Committee, when the hon. gentleman was overruled.

Several Hon. MEMBERS: Order.

MR. SPEAKER: I must call the hon. gentleman to order.

MR. MASSON: I bow to the Chair, but I wish you would also stop the hon. gentleman.

MR. SPEAKER: As to what the hon. gentleman (Mr. Costigan) means to say, it is entirely out of my power to determine in advance, or even to anticipate; but, with regard to the discussion of matters that appear in newspapers, the practice of replying to them in this House, I must say that I think, as far as I can judge of Parliamentary practice, and precedent, and law, that it is exceedingly objectionable. If any hon. member finds, or thinks he finds, in a newspaper article reason for bringing the proprietor or writer to the Bar of the House to answer to a charge of breach of privilege, it is clearly within his right to move in the matter in this House, to bring it under the notice of this House, and to move a resolution, and ask the House to pass it, for the apprehension of the party. The whole practice of referring to newspaper articles in Parliament is of very modern date. It is not very long ago since it was not allowed, even in debate, to quote a passage from a newspaper article in the House. With regard to quotations from newspaper articles in the House of Commons in England, by way of explanation, I may say that I believe that such a practice is exceedingly rare at least. Hon. members have this Session called attention to newspaper articles, stating that they were unfounded and unwarranted, and there the whole matter rests. The House has chosen to tolerate it, and I did not feel at all justified in interfer-

ing, though I felt all along that the practice was objectionable, and growing to very extraordinary proportions. Although I did not desire to assume the position of a lecturer to the House, I very often felt tempted to express an opinion; but I now feel that the hon. member for Victoria should have the same opportunity which several other hon. members have had during this and previous Sessions.

MR. MACKENZIE: I must express my surprise at the extraordinary vigour of the remarks of the hon. member for Terrebonne. I would have said something then had not the hon. gentleman been called to order for impropriety.

MR. MASSON: No; I was not.

MR. MACKENZIE: Well, for referring to Committees.

MR. MASSON: That is not impropriety.

MR. MACKENZIE said the hon. member for Chateauguay had, on one or two occasions this Session, prevented some of his own friends from bringing such matters before the House. on the ground that it was an improper proceeding, and had repeatedly spoken to him (Mr. Mackenzie) about the matter. It was his (Mr. Mackenzie's) intention to have asked the opinion of the Speaker regarding a practice which was, undoubtedly, inconvenient and served no useful purpose. The mere fact that a newspaper had said something wrong or improper concerning a member, was no reason why it should be read in the House. Those who had been in public life for a lengthened period must know that it was utterly impossible to attempt, even if they were disposed to do so, to correct all the mis-statements which appear in newspapers. He was willing to believe that such mis-statements as regarded himself were innocuous, and that they would be corrected by the Press on the other side, if they were of a gross character. Of course, it was open to any hon. member to take the method which the Speaker had referred to, but if every hon. gentleman was to exercise the right which the hon. gentleman who, in this case, felt himself aggrieved was about to

exercise, it would lead to great delay of business; besides, it would be altogether unparliamentary to do so.

SIR JOHN A. MACDONALD: I would call the attention of the House to a case which, to the best of my recollection, occurred during the present Session of the Imperial Parliament. Sir Robert Ferguson, I think that was the hon. gentleman's name—

MR. CARTWRIGHT: Sir James, most likely.

SIR JOHN A. MACDONALD: He made a speech in the country wherein he attacked Mr. Gladstone, or Mr. Lowe—I forget which—and that speech was reported in a newspaper—

MR. MACKENZIE: The hon. gentleman, I think, has forgotten the circumstance. It was not a newspaper which made the attack. One hon. gentleman asked another whether he really made a statement which he was reported to have made.

SIR JOHN A. MACDONALD: But there was a correspondence in which the person attacked said, he saw a certain speech in a newspaper, and asked an explanation. Sir Robert Ferguson's contention was that he was not responsible in the House for statements he made outside, but only for statements he made in the House. The complaint was brought up on a report made in a newspaper of his speech.

MR. HOLTON: I believe it was Mr. Hardy who challenged the member to read on the floor of the House what he was reported to have said outside.

MR. SPEAKER: That is similar to the O'Connell case, where Mr. O'Connell was called upon before the House to state whether he made a certain speech outside or not.

MR. COSTIGAN said he was sorry to trespass on the time of the House, but as he had not, since he took his seat in the House, spoken on a question of privilege, he thought he might be permitted to make an explanation. He thought the hon. member for Chatoanguay deserved great credit for his perfect knowledge of Parliamentary rules, but he doubted if the hon. gentleman was quite competent to antic-

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ipate what he (Mr. Costigan) wished to say. Having perfect confidence in the hon. gentleman's spirit of fair play, he would state his case to show that he had a right to move in this matter. What he complained of was published in the telegraphic news, dated April 1st, to the *St. John Freeman*, and the name of an hon. member of the House was used as the authority for a charge against himself contained therein. He took this opportunity of contradicting it, and leaving the hon. gentleman, whose name was mentioned, to contradict or substantiate it. The paragraph was as follows:—

“De Veber intends bringing before the Public Accounts Committee the circumstances connected with two contracts given by the late Government in 1871 to Costigan and Mr. Renaud, then an M.P., for supplying ties to the Intercolonial Railway. Though these gentlemen got the contracts, they took them in the names respectively of Collins and Girouard, who were supposed to do the work. The latter gentleman is now here pressing for the payment of \$7,000, which he alleges is still due on the contract, but which it appears from the accounts of the Department was drawn by Costigan under authority, which he claimed was granted to him by Girouard. Now, Girouard denies that he ever gave Costigan such authority; that he, in fact, really performed the work of supplying ties at a remunerative figure, but the profits of the transaction were, it is alleged, gobbled up by his partner, who was a member of Parliament, and one of those exceedingly virtuous gentlemen who took strong ground against Anglin.”

This article stated in so many words, on the authority of the hon. member for the city of St. John, that he (Mr. Costigan) had gobbled up \$7,000 belonging to another man, and that this man was in Ottawa to press his claim. Now, he characterized that as a slander against himself; he defied any man inside the House or out of it to establish by the slightest proof that he had ever gobbled up either public or private money. If the hon. member for St. John did not give authority for his name being so used, it would certainly be most unfair if he did not state clearly that he did not furnish the information upon which that despatch was founded. If he did not choose to do so, he (Mr. Costigan) contended that it was his duty to bring him before a Committee and give him an opportunity of proving how false and how



unworthy this attack was which had been made upon him as a member of the House. It was clearly the hon. gentleman's duty to do either the one thing or the other. He hoped the House would excuse him for taking up so much time, but he thought it would be admitted that, amongst the questions of privilege which had been brought up there was not one in which a member had more right to rise in his own defence than in this.

MR. DEVEBER said he had nothing to do with the article which the hon. gentleman had read; he had not himself seen it, and he certainly did not inspire it. Beyond this, he did not think it necessary to say anything.

MR. MASSON said if the hon. member for Chateaugay would allow him, he would read a quotation to show that newspapers could be brought into the House:

"When a complaint is made of a newspaper, the newspaper must be produced, in order that the paragraphs complained of may be read. On the 30th May, 1848, a member complained of the report of his speech on the previous day——"

MR. CASGRAIN: I do not know why I should listen to a lecture which the hon. member for Terrebonne may wish to read to the hon. member for Chateaugay.

MR. SPEAKER: The question as to the propriety of a proceeding having been raised, I think it desirable that the House should have full knowledge of what the law is. I do not think the hon. member for Terrebonne was going to discuss the question, but merely wished to cite an authority which he has placed in my hand:

"When a complaint is made of a newspaper, the newspaper must be produced, in order that the paragraphs complained of may be read. On the 30th May, 1848, a member complained of the report of his speech on the previous day in a newspaper, and was proceeding to address the House, when he was stopped by the Speaker, as he had no copy of the newspaper on which to found his complaint. The member who makes the complaint must also be prepared with the names of the printer or publisher, if he intend to follow up his complaint with a motion."

That, however, was a complaint as to an inaccurate report of a speech made in the House of Commons, and there-

fore might be held to relate immediately to proceedings in the House. Whether hon. members having other grievances, have a right to bring them into the House, is an entirely different question. In the case under discussion, a certain statement has been made in regard to a transaction which took place some years ago. The question whether an hon. member had a right to vindicate his own character and conduct by making a statement in the House contradicting a newspaper article, is a very serious one for the House to consider, as there might be no limit whatever to a discussion arising between members of the House and newspapers out of doors.

MR. DYMOND said he might be allowed to say one word in vindication of the course pursued by his hon. friend from Chateaugay by mentioning one little incident which had occurred during the last few days, which would show that he was perfectly even-handed in the advice he gave to the hon. members on both sides of the House. About a week ago, a base article reflecting on his (Mr. Dymond's) personal honour as a member of the House appeared in a newspaper published in this city but the paper in which it appeared immediately apologized, without any action on his part, for what had been somewhat inadvertently inserted. That article, however, had been extensively copied and sent broadcast over the land by newspaper correspondents opposed to him politically. He did not know whether those persons would do him justice by inserting a retraction or apology. He conferred with the hon. member for Chateaugay as to whether it was not his duty to call the attention of the House to the matter; but he suggested, just in the same way as he had done to the hon. gentleman opposite, that there had already been too many of these discussions in the House as to false statements by the Press, and that it would be far better for those on the Government side to set an example, so that they might be discontinued. He took the hon. gentleman's advice, and he mentioned this incident to show that he had acted fairly between members on both sides of the House.

Mr. HOLTON said that, as he took the responsibility of expressing his views to the House, he wished simply to remark, in order that the discussion might not be continued, that it was with reference to this practice, not with reference to the merits of any particular attack made on the hon. gentleman, he had made his previous observations. He thought the course he took had been abundantly vindicated. If, during the many years he had been a member of Parliament, he had called the attention of the House to the strictures of the Press upon himself, he should have projected himself in a very disagreeable manner on the attention of the House. He thought that, unless some definite action was intended to be taken by hon. gentlemen, the custom of bringing forward these strictures by the Press was one not to be cultivated or adopted; he would even go the length of saying, not to be tolerated.

Mr. TUPPER said it was due, not only to the hon. member for Victoria, N.B., but to every hon. gentleman in the House, that he should bring forward this matter. The hon. gentleman had done wisely in taking the earliest opportunity to meet a charge of so grave a character in so straightforward and manly a way. This was particularly shown by the fact that the hon. gentleman whose name was mentioned in the article as the authority for the information refused, in any way to become responsible for the statement which had been published. He (Mr. Tupper) did not think that the advice given to the hon. member for North York by the hon. member for Chateauguay was good advice, because it was absolutely necessary for the personal honour and character of the hon. member for North York that he should bring the matter of which he complained before the House. When he (Mr. Tupper), on a former occasion, took the liberty of insinuating that the hon. member for North York had some connection with the reporting staff of the *Globe*, the hon. gentleman rose in his place and not only reprimanded him—

Mr. YOUNG: I rise to a question of order. If the hon. gentleman is to

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be permitted to go into this matter, other matters, of a cognate character, will have to be brought before the House also. I would ask your ruling, Mr. Speaker, as to the question before the Chair.

Mr. TUPPER: I want you to bear in mind that I am simply referring now to the statement made by the hon. member for North York when the matter was under discussion.

Mr. SPEAKER said the hon. gentleman spoke of the matter only to show that the hon. member for Chateauguay was not actuated by any personal bias, or by anything else than a sense of the proprieties of Parliament. A serious charge was made by himself, and the hon. member against him (Mr. Costigan) advised that it should not be brought before the House. Of course the whole matter was only conversational. Under the circumstances, he would like to say a few words with regard to this matter of privilege, as a great many hon. members often rose with the idea that they were privileged to do so when there was no question of privilege at all; and if they spoke, they did so only on suffrage. As he understood it, a question of privilege, according to the modern practice, at all events, must be something attacking a member of the House, as member of the House, attributing to him corrupt and improper motives because he spoke or voted in a certain way, assaulting a member of Parliament going to or coming from the House, on account of his behaviour in Parliament, because it was held that no member of this House should be accountable in any way except to the House; therefore, attacking a member outside the House was a breach of the privileges of Parliament. This was the rule, and he considered it was a proper rule. Where charges were made against any member, he was satisfied they were breaches of the privileges of the House. He thought that if the hon. member chose to ask for an enquiry he had a right to do so. If it was only conversational, any member had a right to put an end to the conversation at any moment by calling attention to the fact.

## ADDRESS TO THE GOVERNOR-GENERAL.

MR. MACKENZIE: I rise at present to perform a duty which I feel, in a sense, to be one in which I may take great pleasure; in another sense, it is one which gives me some pain. I rise to propose an Address to His Excellency the Governor-General, expressive of the feelings of this House towards him on the occasion of his departure from this country, and I am sure that I completely represent the feelings of every member of this House, when I say we look upon that event, now near at hand, as one which will be regretted by every resident of Canada, as well as every member of this House. The position of Governor-General of a great colony like Canada, a country exalted above the ordinary condition of colonies, and embracing within its borders an entirely new system of Government—although that system of government is consistent with that of other great British colonies. Here we have many Provinces, forming part of the federation, though they exist in a semi-independent condition as regards the Dominion. Under such a system, the duties, labours, anxieties and responsibilities of the Chief Executive of the country are correspondingly increased, and we can easily understand the difficulties which must beset even the most experienced statesman coming from the Mother Country to assume the conduct of affairs, and act as the representative of Her Majesty in this country. We are, therefore, expected, on the arrival of a new Governor-General, to aid him by our sympathies in the discharge of the responsible duties which he is called upon to discharge. It may, however, be thought by some, that the office of a Governor-General or Lieutenant-Governor of any of the British colonies is one of comparatively small importance as regards the political life and general prosperity of that country. I do not believe that to be the case. I believe that the Governor of any country has a great deal to do, by judicious management of the affairs which are committed to his hands, in promoting or retarding the general prosperity of that particular colony. We have had in Canada a long experi-

ence of the public men of England who have been sent out here in that capacity. We have had some of the ablest men that could be furnished by the Empire sent to rule over us in the name of Her Majesty; but, I venture to say, that amongst all the celebrated men who have held that position in this country, none will be remembered with feelings of greater gratitude or kindness than the present Governor-General, Lord Dufferin. He has endeavoured, since his advent as Governor-General, not merely to discharge his high duties with impartiality, and in that manner which becomes the representative of Her Majesty, in a constitutionally-governed country, inhabited by a high-spirited, intelligent people; but he has endeavoured, by every means in his power, to make the name of Canada known all over the world, so far as his personal influence and efforts, aided by his political position, would enable him to do so. He has exerted himself to accomplish this end in a way that no other Governor-General has done. To be sure, no other Governor-General has had quite the same opportunities, because Canada, as an aggregation of smaller Provinces, has not been in existence many years. His Excellency has endeavoured to make himself intimately acquainted with the wants and resources of all portions of the vast Dominion over which he was called to rule; and, by his successive journeyings through the various Provinces of the British Empire on this continent, he has, perhaps, made himself better acquainted with the entire political system under which we live, and the people which inhabit the various Provinces, and their resources, than any Governor-General who ever lived in this country. It is a matter of congratulation to us to know that such effort has been made by one who holds so distinguished a position among his peers in the mother land; and, although we shall very soon have occasion to lament his departure from among us, we may yet calculate with absolute certainty that the intimate knowledge and warm appreciation of this country, which he has shown in all his public utterances, will lead him to give a hearty response to any

request made by this Dominion to him, and that he will do anything in his power which can advance the material interests of this country. I have often remarked the extraordinary influence which some of His Excellency's speeches have had in the Old Country. During his visits to several of the Provinces, speeches have been made by him which commanded the attention of all parts of England, Scotland and Ireland, as well as other countries, especially with reference to the various resources of this country. Those speeches were the opinion of a distinguished English statesman as to its capacity for maintaining a vast population proud of its relations to the Empire, and the certainty of future greatness; and I venture to say that no agency has been more potent in making Canada known to the world than these utterances of His Excellency, circulated as they have been through the Press of Europe. Whatever may be His Excellency's future, we can never fail to look upon these speeches of his, and his other efforts, otherwise than as efforts made for the advancement of Canadian interests, as efforts which we have no doubt—which we have abundant proof already—have conduced greatly to that end. It is, therefore, with the very greatest pleasure that I assume the task, as a member of the Government, of moving an Address expressive, in some degree, of the feelings which this House holds for His Excellency, of our approval of his course as Governor-General, and our hearty good wishes for his future career. I should but ill-fulfil the task which I feel to be a difficult one, were I to refrain from saying one word regarding our personal relations. It has been my fortune, as a member of the Government, to have, as a matter of course, the most intimate relations with His Excellency for a number of years and I can only say that, in this respect, as anyone else who has had the same relation must say, that they have been of the most gratifying kind, and it is always a matter of congratulation to find that the experience of our public men with those who have been sent from Britain for a time to act in the capacity of representative to Her Majesty, should be of such a character

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as to leave no ill-feeling behind. It will be observed, Sir, that I have made a reference in this Address to His Excellency's distinguished consort, and I need only say, in regard to that distinguished lady, that she has amply and fully seconded His Excellency's efforts in all that could possibly be expected by the most exacting, in the position she has occupied. Every member of this House will always gratefully remember Her Excellency's efforts to minister to their enjoyment, and all good wishes will accompany her from Canadians through all her future life. I beg to move, seconded by Sir John A. Macdonald:—

“That an humble Address be presented to His Excellency the Governor-General, expressing the deep feeling of regret of this House at his approaching departure from Canada, and it is our duty to assure His Excellency that the zealous devotion of his great abilities on all occasions to the public interests is held in high appreciation; and that especially the visits to each of the Provinces and Territories of the Dominion, by which His Excellency has familiarized himself with the character of the people and the resources of the country; and the eloquent speeches in which His Excellency has enlarged on those topics have been attended with the most beneficial results in attracting attention to Canada; and that we are highly sensible of the great degree in which literature and art and the industrial pursuits have received encouragement from His Excellency's efforts and liberality; and assuring His Excellency and his distinguished consort that they will bear with them on leaving us our warmest wishes for their future welfare and happiness; that we rejoice in the conviction that, though Canada may no longer possess the advantage of His Excellency's experience and knowledge of public affairs in so exclusive a degree as she has enjoyed them in the past, she will continue to have in His Excellency a friend and advocate; and that it is our heartfelt wish that, for many years, the Empire at large may have the benefit of His Excellency's ripe wisdom, experience and eminent abilities.”

SIR JOHN A. MACDONALD: Mr. Speaker, like the hon. the First Minister, I rise with mingled feelings of regret and pleasure to second this resolution. Like him, like the people of Canada and like the members of this House, I feel the greatest regret at the approaching departure of the illustrious representative of our Sovereign in this country. But I rise with pleasure to express in my humble way my great appreciation of

his great qualities as the representative of our Sovereign during the six years he has fitly and fully represented the dignity, the responsibility, the power and the influence of the Crown. Like the hon. the First Minister, I would say that the office of Governor-General is not a mere formal office. It is one of great power. It is one of great dignity. It is one of the greatest responsibility, and the Governor-General is a person elevated, like the Sovereign, far above the shifting party politics of the day. He is at the helm of state. He guides, advises, warns and counsels, and he—while others, absorbed in party politics, may forget for the moment the interests of the country—has only one object before him, and that is the common interests of all. That is a duty thrown by the Sovereign upon her representative, and everyone must admit, and everyone cheerfully admits, that the duty has been fully and ably performed by the Earl of Dufferin. It is especially important on this continent, where Republican institutions prevail, that monarchy should show its beneficent side; and if every monarchy was rendered pleasant, if ever the principles of monarchy were vindicated, and the usefulness of monarchical institutions fully vindicated, they have been vindicated in the manner in which the representative of the monarch has performed his duties during the last six years. And so it is that feelings of regret prevail on both sides of this House, and among both political parties into which this country is divided, at the approaching departure of his Excellency; and that they unite, as I know they do cordially, sincerely and from the bottom of their hearts, in their tribute of respect and affection to the Earl of Dufferin. As the hon. the Prime Minister has said, the Address would not be perfect if it did not contain our sentiments towards His Excellency's consort. Under a Government like this, under monarchy, and in a country governed by monarchical institutions, the consort of the Sovereign, or the consort of the representative of the Sovereign, always holds, and must be held to assume a political character, and that illustrious lady, as the Prime

Minister has truly said, has fitly and well seconded the efforts of the Governor-General to maintain the dignity, the honour and the popularity of the position which they have held. While we regret, Sir, that so soon we are to be bereft of the presence of these two illustrious personages, we have the consolation to which my hon friend opposite alluded, that we have not lost their services for ever. Fortunately, the Governor-General is still a young man, is still in the prime of life. Although ripe in experience gathered from many lands, and through holding many positions, he is still a young man, and we may look forward to many years of his influence in a higher position,—high as his present position is,—in the counsels of the Mother Country. He has won, as we all know, and we have evidences of it from the honour that has been conferred upon him since he has been Governor-General, the confidence of the illustrious Lady he represents. Any one who reads the Press knows that he not only has the confidence of the fourth estate in England, but that of the Sovereign, and with the Sovereign and the Press both fully appreciating his great qualities, he will, I am satisfied, if Providence spares his life and health, for many years hold as high a position as, aye and a still higher position, than that he is about, to our infinite regret, to vacate. As this Address says, truly we, everyone of us, know that wherever he goes, whatever position he may be placed in he will always have a kindly remembrance of the Dominion of Canada. He knows quite well with what a feeling of affection the people of Canada regard him, and he would be less than man, or more than many if he did not return that feeling, but we know that he will do it. It is fortunate he is so young a man. If we look back, as I can, it will be seen that it is our mis-hap that of all the representatives of the Sovereign that have governed the old Provinces of Canada, there is only one still left, and he, from the position he at present holds, is deprived of the opportunity, whatever his desire to do so may be, of standing as the advocate of the future interests of Canada. But with a certain future, if God spares

him, and health before him, we know we shall have, in the great sphere of usefulness that is open for him, when he leaves this country, after such a successful reign, for reign it was, a powerful, firm and sincere advocate of the best interests of the Dominion, in the Earl of Dufferin. These sentiments, I believe, must impress themselves, and do impress themselves, upon the hearts and reasons of everyone. With these remarks, I have the greatest pleasure in seconding the resolutions of the hon. the Prime Minister.

MR. LAURIER said he rose with much pleasure to support the motion. Nowhere, he was sure, would its sentiments be re-echoed with more sincerity or a warmer appreciation of the merits of its distinguished object than in the Province of Quebec, of which he was an humble representative. The kindly disposition of His Excellency, his admirable qualities as a public man, his studious desire to soften the asperities of public life in Canada, and above all, the respect and affection he had shown for all the institutions of Quebec on account of its inhabitants, had endeared him to them all without distinction of party or creed. He had shown more sympathy with its people than Governors of the same French race. The same good qualities had been displayed by him—happily in more tranquil times—as Lord Elgin had manifested at a troubled period of Canadian history. The people of Lower Canada would, like all their fellow-countrymen, deeply regret His Excellency's departure, and never cease to follow him with the kindest wishes for future happiness and suitable opportunities of well-doing. Lady Dufferin always enjoyed the respect and affection of the people, and would always retain a place in their hearts.

MR. LANGEVIN: I am happy to have this opportunity of being able, and in company with the hon. the Minister of Inland Revenue, who has just taken his seat, in the name of the French-Canadians, who formed such an important part of the population of the Dominion of Canada, to express their sentiments of deep regret on the occasion of the departure of His Excel-

lency the Governor-General and his worthy consort. I concur fully, and I know that my countrymen in Lower Canada, the French-Canadians, equally with the people of other origins, will wholly concur in the sentiments that have been expressed by the hon. the First Minister, the leader of the Opposition, and the hon. gentleman who has just spoken on the subject of the regret we all feel to see His Excellency leave us. We have had, previous to the arrival of His Excellency, other Governors since 1841, and some of them have rendered themselves more popular than others with the Province of Quebec; their names will remain in the memory of the people of Lower Canada; that of Sir Charles Bagot especially is honoured and venerated by our population. The name, also, of Lord Elgin is still a name which is received with respect and applause by the public when mentioned in speeches here and elsewhere, and I am convinced that the name of Lord Dufferin will rest not less dear to the people of my Province in particular. His name is popular in Lower Canada, in the cottages and the villages, and in the most remote parts of the Province. This name of Lord Dufferin is so popular among the French Canadians that they have popularized it; he is by them called, not Lord Dufferin, but Lord Dufresne. They make of him a French Canadian, to such a great degree have they found him in sympathy with our race. Mr. Speaker, Lord Dufferin, since he has been at the head of the Government, has made himself acquainted with all parts of this country, even to its remotest and least populous Province; he has endeavoured to know and to identify himself with the population, and to make himself familiar with their necessities, and even with their prejudices. We have seen him on the shores of the Atlantic, and again on the shores of the Pacific. Later, we saw him in the midst of the Western plains, and why? Because he desired to acquaint himself with all our needs, and to visit the whole country; and I am convinced that when Lord Dufferin returns to his native country, if he is accorded some degree of leisure, he will not forget this country which

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he has governed with so much wisdom; and perhaps we will have some work from his able and elegant pen, which will, no doubt, not be a work on the subject of "High Latitude," but will speak with authority on the subject of the latitudes in which we live. Mr. Speaker, if we judge by the past, this will be an excessively interesting and important production; and I am thoroughly convinced that if our gracious Sovereign does not before long call His Excellency to some position higher even than the one he now fills in the Empire, he will cause to appear this work which will certainly be one to which we will refer with great pleasure, and which will be a most interesting and most useful production. In thus speaking of His Excellency the Governor-General, we cannot forget the amiable Lady who is his worthy consort. Lady Dufferin has always shown a most excellent and gracious disposition in meeting the requirements of our works of charity, in patronizing the bazaars, the fêtes, the examinations, and all that is interesting in connection with our great institutions of charity or education, not only of Lower Canada, but also of other parts of the country. Hence, her name will remain associated with that of Lord Dufferin, and long after they have left this country, their names will be remembered and blessed. They are going to leave this country, but they do so with our best wishes; and we will not cease to pray for their good fortune and prosperity, and, I am convinced that, before long, after His Excellency has quitted our shores, we will see and hope that our Gracious Sovereign will not fail to utilize his services, his talents, his great experience and ability, in some other eminent position. Having thus expressed myself, Mr. Speaker, I beg to thank the House for the attention it has accorded me, and to say that I fully concur with the terms of the proposed Address:

MR. MACKENZIE moved:

"That the said Resolution be referred to a Select Committee, composed of Messrs. Mackenzie, Blake, Sir John A. Macdonald, Holton, Lafamme, Tupper, Smith (Westmoreland), Langevin, and Mason, to draft an Address to His Excellency thereon."

MR. MACKENZIE, from the said Committee, reported the draft of an Address, which is as follows:—

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

"MAY IT PLEASE YOUR EXCELLENCY:

"We, Her Majesty's dutiful and loyal subjects, the Commons of Canada, in Parliament assembled, beg leave to approach Your Excellency with the expression of the deep feeling of regret which we experience at your approaching departure from Canada.

"We feel it to be a duty to assure Your Excellency that the zealous devotion of your great abilities on all occasions to the public interests is held in high appreciation; and that especially the visits to each of the Provinces and Territories of the Dominion, by which Your Excellency has familiarized yourself with the character of the people and the resources of the country, and the eloquent speeches in which Your Excellency has enlarged on those topics have been attended with the most beneficial results in attracting attention to Canada.

"We are highly sensible of the great degree in which literature and art and the industrial pursuits have received encouragement from Your Excellency's efforts and liberality.

"We venture to convey the assurance that Your Excellency and your distinguished Consort will bear with you on leaving us our warmest wishes for your future welfare and happiness; that we rejoice in the conviction that, though Canada may no longer possess the advantage of Your Excellency's experience and knowledge of public affairs in so exclusive a degree as she has enjoyed them in the past, this country will continue to have in Your Excellency a friend and advocate; and that it is our heartfelt wish that for many years the Empire at large may have the benefit of Your Excellency's ripe wisdom, experience and eminent abilities."

Address read the second time and agreed to, and ordered to be engrossed, and to be communicated to the Senate for their concurrence.

## THE QUEBEC CRISIS.

Mr. CARTWRIGHT moved—

“That Mr. Speaker do now leave the Chair, for the House to go again into Committee of Supply.”

SIR JOHN A. MACDONALD: Mr. Speaker, I rise for the purpose of bringing before the attention of this House the late political events which occurred in the Province of Quebec, and I may as well now read the motion which I propose to place in your hand. I move, Sir, seconded by the hon. member for Cumberland—

“That Mr. Speaker do not now leave the Chair, but that it be *Resolved* that the recent dismissal by the Lieutenant-Governor of Quebec of his Ministers was, under the circumstances, unwise and subversive of the position accorded to the advisers of the Crown since the concession of the principle of Responsible Government to the British North American Colonies.”

It was suggested the other day that the motion to be made on this subject should be an independent motion, standing upon its own merits, and in an amendable form, and my hon. friend from Chateauguay alluded as an example to the course taken with respect to the celebrated resolutions relative to Responsible Government which were passed in September, 1841. There is this difference between that case and this. Those were a series of propositions for the future Government of this country. Before that, Canada, which had long been fighting for Responsible Government, had not succeeded in obtaining that great boon, and those resolutions contained, in fact, a measure, not certainly in the form of a Bill, but still a measure for the future government and administration of this country. This, on the other hand, is an expression of a grievance. It is not a resolution for laying down a new rule for amending any rule for the administration of the affairs of this country, but it is a statement from the point of view to which I venture to call the attention of the House, of a grievance, of a breach of the constitutional system which now exists in Canada. It is a well-understood principle that the demand for supply and the assertion of grievances go hand in

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hand. It is the proper mode, and the expedient time for asserting grievances when supply is demanded by the Crown. And if that be so, the grievance must be stated in the language of the party who claims and states it as a grievance. It is no satisfaction of the right of the party wishing to make his complaint that he should be told by amendments that his grievance is not as alleged, but that it is another kind of grievance, and must be dealt with in another way. Therefore, I have thought it expedient to adopt the constitutional mode of making this motion at this time. This question, as I have already stated, I hope and believe should be approached without any party feeling one way or the other. It is a constitutional question, rising far above and beyond the temporary party struggles of the day. The hon. gentlemen opposite are as interested as we are on this side in the good government of the country, in laying down correct principles for its government. I have had something to do, and I am proud of having had something to do, with the Confederation of these Provinces, with the establishment of the present system, and the inauguration of the Dominion. The hon. gentleman at the head of the Government is one of those, to their credit be it said, who forgot party feelings and party antecedents, forgot for the time all the old struggles, in a common effort to lift, if it were possible, the scattered Provinces from the slough into which they had in some degree fallen—at least in which the late Province of Canada had fallen—and to form one great Dominion under her Majesty's Crown and Government. The hon. gentleman at the head of the Government, as well as myself, and all the leading men of that day who were concerned in laying the foundation of the Dominion, must desire to see that a fair superstructure shall be raised on that foundation, and that it shall not be undermined, shall not be weakened or destroyed, or prejudiced by any mistake so early in our history. It is of the very greatest consequence that we should make no bad precedent. A bad precedent is a dangerous thing, especially when we are in the commencement of our history. A flaw, a



disease at the roots of the young tree, is surely to lead to early decay, and, therefore, it is especially our duty to see that the tree planted by us, to change the metaphor from the building to the tree, shall be sheltered from every possible disease or infirmity which might destroy its value. A bad precedent is an exceedingly bad thing. If there is a mistake in administration, that can be cured by a change of Government or of policy. If there is bad legislation, that can be cured by repealing or amending the objectionable Acts; but a precedent once established, always has its influence. If you take up constitutional authorities, you will find precedents quoted from very early times. It is amusing to see how, when any constitutional question arises, gentlemen interested in such subjects follow out the line of precedents, and you will see sometimes quoted precedents in the time of George III., if not earlier, as of equal value and weight with the precedents that have been set in our own day and in our own time.

MR. MACKENZIE: That is good Tory doctrine.

SIR JOHN A. MACDONALD: The Tory doctrine is a doctrine which says there must be a conservation of the constitution. It is good Tory doctrine to say that the treatment bestowed on the tree should vary with its growing wants and developments. A bad precedent being a bad thing, it is of the very greatest consequence, on this, the very first occasion when a great constitutional question has arisen, that we should deal with it in a manner worthy of it. I had thought, looking at public affairs from my point of view, that at this time, in the nineteenth century, and with all the advantages we have derived from English precedents, and our own system, a question of this kind could not have arisen in Canada again, but it only shows that eternal vigilance is the price of liberty, when at this time, here in Canada, after having gained Responsible Government at the point of the bayonet, the first principles of Responsible Government should require to be discussed and defended in this House. The resolution I have submitted to the House states that the act of the Lieut.

Governor of the Province of Quebec, "was unwise and subversive of constitutional Government," and unconstitutional in every way. The first question that arises upon that resolution is whether we have any concern with that in this House. I need scarcely discuss the question, I suppose, and I hope, I believe, that the Lieutenant-Governors of the different Provinces stand now precisely in the same position with respect to the Governor-General and his Cabinet, as the Governor-General stands with respect to the Queen and her Cabinet; and, if that be admitted, then it must be held that the Parliament of the Dominion of Canada has a supervision of the acts of the Lieutenant-Governors. Before Confederation, as we all know, each of the Provinces had a Lieutenant-Governor. We had a Governor-General of British North America, who had, by his commission, a nominal supervision of the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island, but that was a merely nominal supervision. Unless the Governor-General was personally present and superseded the Lieutenant-Governor, then those Governors stood in exactly the same relation to their respective Provinces as the Governor-General of British North America did to the old Province of Canada. They reported direct to Her Majesty's Government, or rather to the Colonial Minister who represented Her Majesty in that respect. It is well known that before Confederation all these Governors were liable to have their conduct discussed in the British Parliament. Every Governor of every colony in the British Empire was liable to have his conduct discussed, to have a motion made for his recall, or for his censure, or to censure Her Majesty's Government if they did not recall him. I need scarcely quote the numerous cases which occurred in days of old; but in modern times we all remember the case of Governor Eyre, whose conduct was discussed in the British House of Commons again and again, who was dismissed by Her Majesty's Government in consequence of the action that was taken in the House of Commons. We all know the case of Sir Charles Darling, who was recalled by

Her Majesty's Government, and whose conduct and deportment and mode of Government were frequently discussed in the British Parliament. If hon. members would like to have reference to the discussions I will give them. The discussion on Governor Darling's case will be found in the *English Hansard*, volume 191, page 1964, and that on Governor Eyre's case in volume 184, pages 1069 and 1763. There was a remarkable case showing the freedom with which the British Parliament discussed the conduct of Colonial Governors on the motion made by the late Jos. Hume against successive Governors of British Guiana, where he attacked most strongly the conduct of the Government, charging them with a breach of honour and of duty in respect to these Governors, who were two rather distinguished men—Sir Henry Light and Governor Barkley. In this country, within my experience and that of the hon. member for Chateauguay (Mr. Holton), Lord Cathcart announced in a very unusual way, rather as a soldier than as a politician—

MR. HOLTON : By your advice.

SIR JOHN A. MACDONALD : It was long before my time.

MR. HOLTON : It was after Lord Metcalfe came, and before Lord Elgin arrived.

SIR JOHN A. MACDONALD : It was before my time. The first Governor under whom I served was Lord Elgin.

MR. HOLTON : It was your party.

SIR JOHN A. MACDONALD : I never served either under Lord Metcalfe or Lord Cathcart. Only a year or two ago we had the case of Mr. Pope Hennessy, whose conduct in Barbadoes was discussed. Although he was not recalled, the debate in the House of Commons went so far as to show, perhaps in his superabundant zeal, because I believe it was such, he had, perhaps, outrun discretion, and he was, a very short period afterwards, removed to another colony. These cases, however, are not required in order to establish the fact that the Imperial Parliament have dealt with the acts, the merits and demerits of Colonial

Governors with perfect freedom, and with perfect right, and the Imperial Government are held responsible, as they were in Governor Eyre's case, when they resisted several of the motions made to follow up his dismissal by punishment, and censure was endeavoured to be cast on them by several resolutions. In fact, it is said by the present Lord Grey in his book on Representative Government, that, in some respects, the colonies have an advantage over the Mother Country. The Sovereign can do no wrong, but if the representative of the Sovereign does wrong, the people of the colony have the right to appeal to the foot of the Throne, and hold the Imperial Ministers responsible if they do not do justice to the colony. I will quote a short passage. Earl Grey says, at page 346 :—

“But there was this most important difference between a Colonial Governor and an English Sovereign of the Houses of Plantagenet or Tudor, that the former was responsible to a distant and generally an impartial authority, to which the Colonists could always appeal to relieve them from a Governor who abused his power. The Crown could recall any Governor who failed in the discharge of his duties; and if it refused to do so on a well-grounded complaint from the inhabitants of a Colony, they were entitled to lay their grievance before Parliament, to which the Ministers on whose advice the Crown had acted were bound to answer for what had been done.”

My contention is, and I do not suppose it will be disputed, that the same power that rested in the Imperial Parliament with respect to Colonial Governors appointed by direct command of Her Majesty, exists with respect to the Dominion Parliament as far as regards Lieutenant-Governors appointed by commission of the Governor-General. In the remarks which I shall address to the House, I assume that the Lieutenant-Governor of each Province has the same power, represents the Crown to the same degree as the Governor-General represents the Crown with respect to the Dominion Parliament, within the jurisdiction of his own Province. I do not mean to say, it is not necessary for the purpose of my argument, that this is legally so. A very strong argument has been used lately by a distinguished lawyer in Montreal

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(Mr. Kerr) upon that point. He has gone to show and to argue that by law the Lieutenant-Governor, being a creature of the Statute, a creature of our constitutional Act, appointed by commission from the Governor-General, and not from the Sovereign directly, has not the same power, or the same attributes, or the same position as the Governor-General. Well, there is much to be said from a merely lawyer's point of view in that respect.

MR. HOLTON: Not much.

SIR JOHN A. MACDONALD: And I would not be at all surprised if a case were brought up before the Courts, which would be obliged to set aside the constitutional question, and look at the strictly legal question, whether that might not be maintained. We know with respect to the powers of the Speakers of the different Provinces that that question has been decided twice, if not thrice, perhaps oftener. The different Legislatures, the different representatives of the people, the Colonial Assembly have always contended that the Speakers in the different Colonies had the same power within their limited Colonial jurisdiction as the Speaker of the House of Commons, and that it is absolutely necessary for us that the Speaker should have that power. But we know that it was decided in an action brought against the Speaker of Newfoundland in the case of Kelley and the Speaker, that the Speaker had no such right. That the right of the Speaker of the House of Commons rested upon prescription. That the Speakers under the Colonial constitution were creatures of the Statute, and that they had no common law Parliamentary rights, as the Speaker of the House of Commons had. Still, all the Colonies said it was absolutely necessary that that power should be given them. It was accorded to us. In the case of McNab against Bidwell, when Sir Allan McNab brought an action against the Speaker of the old Province of Upper Canada for false imprisonment, because he had, under order of the House of Assembly, and as Speaker, issued a warrant for his arrest, the question was raised, though I am not sure that in that case it was formally decided. For the pur-

pose of this discussion I will assume that the Lieutenant-Governor held precisely the same position in reference to the Province of Quebec, its Legislature and its Ministry, as the Governor-General does in regard to this Legislature and the Ministry that advises him. In this discussion, as far as I am concerned, I assume that he has the same power and responsibility, the same right of exercising the prerogative within the limits prescribed by the Confederation Act, and the same responsibilities, and that he must be subject to the same checks. I have been speaking about the legal right of Speakers, and I will now also speak of the legal right of Lieutenant-Governors, of Governor-Generals, and of the Crown. A great deal of confusion arises, as is evident from the arguments we read in the Press, from the intermingling of the question of prerogative power and constitutional right. The Crown has great powers, great legal powers, and if they are exercised, every Court must sustain the exercise of that prerogative power, the legal power, because it is a power conferred upon the Crown by law. At the same time, every one of these Acts, which are sustained, and may be sustained in the Courts as perfectly legal, may be as thoroughly unconstitutional as the Court declared them to be legal. Formerly, it was otherwise, but now the distinction is drawn in practice and in theory. All the constitutional writers lay down that principle beyond cavil, and to say that the Crown has the right to dismiss a person, or to appoint a person, the right to veto an Act of Parliament, the right to make a treaty, that the Crown has an infinity of prerogative rights, is no answer to any charge which may be brought against the Crown, or the advisers of the Crown, that the legal prerogative of the Crown was unconstitutionally exercised. The Sovereign, for instance, can declare war, as we all know. The Sovereign can make treaties without reference to Parliament. The Sovereign could, by a treaty, give away the Isle of Man, or the Channel Islands, or the Duchy of Cornwall, and that treaty would be legal, and the country would be gone. But, at the same time, there

is the right of impeachment, and no Minister in his senses would ever recommend such an exercise of the royal prerogative. It is very important, Mr. Speaker, that we should keep that difference distinctly and steadily before us. We see it mentioned in some of the newspapers, which one usually styles Liberal, but which, in this case, were the reverse of Liberal, that the Constitutional Act gives the Lieutenant-Governor the power to dismiss his Ministers, that they only held office during his pleasure, and that pleasure can be exercised whenever the Crown thinks proper so to exercise it. That is not the constitution, and I will call attention to the difference shortly, because it is well to lay down this principle, and to understand the difference between the legal power and the constitutional exercise of it. Lord Brougham, who is, I must say, however, not perhaps the strongest authority on constitutional questions, who was a little erratic, though his general idea, as my hon. friends opposite, who have studied these questions, must know, was that of a man whose statements should be received with respect, said:

“In discoursing upon the frame of our Government, I have frequently used the term constitutional, notwithstanding the disfavour in which it is held by political reasoners of the Bentham school. They regard it as a gross absurdity, and as the cant language of the ‘factions’ whom they hate. They say that the word has either no meaning at all, or it means everything and anything. A thing is unconstitutional say they, which anyone, for any reason, chooses to dislike. With all deference to these reasoners, the word has a perfectly intelligible meaning, and signifies that, what it is always most important to regard with due attention, many things that are not prohibited by the law, nay, that cannot be prohibited without also prohibiting things which ought to be permitted, are nevertheless reprehensible, and reprehensible because contrary to the spirit of the Constitution. Thus the Sovereign of England is allowed by law, like any other person, to amass as much money as he pleases by his savings, or by entering into speculations at home and abroad. He might accumulate a treasure of fifty millions as easily as his brother of Holland lately did one of five, and he would thus, besides his parliamentary income, and without coming to Parliament for a revenue, have an income of his own equal to two or three millions a year. This would be an operation perfectly lawful and perfectly constitutional, and the

Minister who should question it would be justly liable to severe censure accordingly. So we speak with perfect correctness of a law which is proposed being unconstitutional, if it sits against the genius and spirit of our free government, as, for example, against the separation of the executive from the legislative and judicial functions. A Bill framed into a Statute which should permanently prohibit public meetings without the consent of the Government, would be as valid and binding a law as the Great Charter, or the Act of Settlement, but a more unconstitutional law could not be well desired. So a law giving the soldiers, or the militia, the power of choosing their officers, or a law, withdrawing the military wholly from the jurisdiction of the courts of law, would be as binding and valid as the Yearly Meeting Act, but it would violate most grievously the whole spirit of our Constitution. In like manner, letting the people choose their Judges, whether of the Courts of Westminster, or Justices of the Peace, would be as unconstitutional a law as letting the Crown name the juries in all civil and criminal cases.”

But, Sir, I will quote the language of a man of the present day, the mention of whose name will be sufficient to ensure respect for his opinions; one who is extremely liberal in his views, and who, as an historian, has assumed in England the first place. I refer to Mr. Freeman. This passage is so instructive that, at the risk of being tedious, I shall read it, especially as the point I am now discussing is put far more aptly and with greater ability than I can pretend to put it. He says:

“Since the 17th century, things have, in this respect, greatly altered. The work of legislation, of strictly constitutional legislation has never ceased. A long succession of legislative enactments stand out as landmarks of political progress, no less in more recent than in earlier times. But alongside of it there has been a series of political changes, changes of no less moment than those which are recorded in the Statute-book, which have been made without any legislative enactment whatever. A whole code of political maxims, universally acknowledged in theory, universally carried out in practice, has grown up without leaving among the formal Acts of our Legislature any trace of the steps by which it grew up. To the end of the 17th century, we may fairly say, that no distinction could be drawn between the Constitution and the law. The prerogative of the Crown, the privilege of Parliament, the liberty of the subject, might not always be clearly defined on every point. It has, indeed, been said that those three things were all of them things to which in their own nature no limit could be set. But all

three were supposed to rest, if not on the direct words of the statute law, yet, at least, on that somewhat shadowy, yet very practical creation, that mixture of genuine ancient traditions and of recent devices of lawyers, which is known to Englishmen as common law. Any breach, either of the rights of the Sovereign, or of the rights of the subject, was a legal offence, capable of legal definition, and subjecting the offender to legal penalties. An Act which could not be brought within the letter, either of the statute or the common law, would not then be looked upon as an offence at all. If lower Courts were too weak to do justice, the high Court of Parliament stood ready to do justice even against the mightiest offenders. It was armed with weapons fearful and rarely used, but none the less regular and legal. It could smite by impeachment, by attainder, by the exercise of the greatest power of all, the deposition of the reigning King. But men had not yet reached the more subtle doctrine, that there may be offences against the Constitution which are no offences against the law. They had not learned that men in high office may have a responsibility practically felt and acted on, but which no legal enactment has defined, and which no legal tribunal will enforce. It had not been found out that Parliament itself has a power now practically the highest of its powers, in which it acts neither as a Legislature nor as a Court of Justice, but in which it pronounces sentences which have none the less practical force, because they carry with them none of the legal consequences of death, bonds, banishment, or confiscation. We now have a whole system of political morality, a whole code of precepts, for the guidance of public men, which will not be found in any page of either the statute or the common law, but which one in practice held hardly less sacred than any principle embodied in the Great Charter, or in the petition of right. In short, by the side of our written law, there has grown up an unwritten or conventional constitution. When an Englishman speaks of the conduct of a public man being constitutional or unconstitutional, he means something wholly different from what he means by conduct being legal or illegal. A famous vote of the House of Commons, passed on the motion of a great statesman, once declared that the then Ministers of the Crown did not possess the confidence of the House of Commons, and that their continuance in office was, therefore, at variance with the spirit of the Constitution. The truth of such a position, according to the traditional principles on which public men have acted for some generations, cannot be disputed, but it would be in vain to seek for any trace of such doctrines in any page of our written law. The proposer of that motion did not mean to charge the existing Ministry with any illegal act, with any act which could be made the subject either of a prosecution in a lower Court, or of impeachment in the High Court of Parliament itself.

He did not mean that the Ministers of the Crown committed any breach of the law, of which the law could take cognizance by retaining possession of their offices till such time as the Crown should think good to dismiss them from those offices. What he meant was that the general course of their policy was one which, to a majority of the House of Commons, did not seem to be wise or beneficial to the nation, and that, therefore, according to a conventional code as well understood and as effectual as the written law itself, they were bound to resign the offices of which the House of Commons no longer held them to be worthy. The House made no claim to dismiss those Ministers from their offices by any act of its own. It did not even petition the Crown to remove them from their offices. It simply spoke its mind on their general conduct, and it was held that when the House had so spoken it was their duty to give way without any formal petition, without any formal command on the part of either the House or of the Sovereign. The passing by the House of Commons of such a resolution as this, may perhaps be set down as the formal declaration of a constitutional principle. But though a formal declaration, it was not a legal declaration. It created a precedent for the practical guidance of future Ministers and future Parliaments, but it neither changed the law nor declared it. It asserted a principle which might be appealed to in future debates in the House of Commons, but it asserted no principle which could be taken any notice of by a Judge in any Court of law. It stands, therefore, on a wholly different ground from those enactments, which, whether they changed the law or simply declared the law, had a real legal force, capable of being enforced by a legal tribunal. If any officer of the Crown should levy a tax without the authority of Parliament if he should enforce martial law without the authority of Parliament, he would be guilty of a legal crime. But if he merely continues to hold an office conferred by the Crown, and from which the Crown has not removed him, though he hold it in the teeth of any number of votes of censure passed by both Houses of Parliament, he is in no way a breaker of the written law. But the man who should so act would be universally held to have trampled underfoot one of the most undoubted principles of the unwritten but universally accepted Constitution."

Now, Sir, what is the case of the Lieutenant-Governor, and what were his relations to his advisers constitutionally, setting aside the legal question altogether, which I have attempted to discuss. Setting aside the legal right to dismiss every officer holding office under him during his pleasure, what is the position of the Lieutenant-Governor and his advisers? They

hold precisely the same position, I contend, with respect to the Lieutenant-Governor, as Lord Beaconsfield and his Government hold with respect to Her Majesty, and the hon. member for Lambton and his Ministry hold with respect to the representative of the Sovereign, the Governor-General. Under the Constitution as it now stands, I contend that the Ministry of the day, so long as they have the confidence of Parliament, so long as they are sustained in Parliament, must, and have the right to claim the confidence of the Sovereign, or the representative of the Sovereign. I contend that, although it was otherwise formerly, and although the doctrine has grown up by slow degrees, and although we read of dismissals of ministries by the Crown in the earlier days when the Constitution of England was still undeveloped to the state of perfection in which, I think, it exists at this moment; yet, in this day, so long as the advisers of the Crown have the confidence of Parliament, they have a right to claim the confidence of the Sovereign. That is the great principle. If we do not hold to that then we are all at sea, and in great danger of being wrecked. Then, indeed, our institutions are not only on their trial, but we have great reason to dread that they will fail, and this promising commencement of our new Dominion will, by an abandonment of that great landmark, fail to carry out its future as a Dominion founded on British constitutional principles, and carrying them out under more favourable terms, and under less fettered conditions than even our fellow country in Great Britain and Ireland. As I said before, this is a question which appeals to all of us, to every man, to every lover of his country, every lover of free institutions, every one who wishes to embalm, as it were, British institutions in this great offshoot of the British monarchy. It is so necessary that we should consider this question as it exists now in England, and not according to old precedents, that I will take the liberty, before I sit down, of calling the attention of this House to the gradual growth, the very gradual growth, in the face of such immense discouragements, and immense pressure

from the Crown, and occasionally from immense weaknesses on the part of the advisers of the Crown, that it is only by slow degrees that we have evolved the now present system that exists in England, and which I hope by the vote of this House, and by the advice of this House, and by the general concurrence of this House, will be carried out in this country. When I speak about the failure of Ministers in England, we know that they have failed, and that the desire of continuing in office has again and again made them make unworthy compliances to the Sovereign; but, notwithstanding the obstinacy, the wrong-headedness, if I may use the expression, from the Queen or King wearing the Crown at the time, in the unworthy compliances and weaknesses of the advisers of the Crown, yet by slow degrees the Constitution has been evolved, until we now have that principle fixed in England, and I hope that the action of this House will fix it in Canada, and that so long as the Ministry of the day have the confidence of the people, they will have the confidence of the Crown, and that the Crown will be advised by those men who have the confidence of the representatives of the people. There is only one case, Sir, in which it seems to me that this doctrine can be impugned, and that is when the Sovereign has a reason to believe that the representatives of the people who maintain, who support the advisers of the Crown, have forfeited the confidence of the people themselves. In such a case, Mr. Speaker, if the Crown has that opinion, the Crown has a fair right to say to its advisers—

“Though I admit that you have the confidence of the representatives of the people, though I admit that you are sustained in Parliament, yet my idea is this: that those who do so sustain you have, from one cause or another, forfeited the confidence of the people themselves, and I desire that there shall be an appeal under your guidance. I hold you, my advisers, to have the confidence of the people until the contrary is shown, but I call upon you, and I insist upon it, that there be an appeal to the people, and if you come back from the people sustained in the future, as you have been sustained in the present Parliament, then you will have again the confidence which has been in some degree weakened by late events.”

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For instance, Mr. Gladstone himself, did not wait for any such intimation from the Crown. He did not wait to be told that there was unmistakable evidence that a reaction had set in in England. He did not wait to have the Crown send for him and say to him—

“You see single after single election going against you. You see that there is a very strong reaction in the country, and I think that you ought to appeal to the country as a whole. I think that you ought to see whether the country has such confidence still in you, that you have a title to the renewal of your lease of office.”

No, Mr. Gladstone felt that it was due to himself and his position to go to the country. He believed, and it may or it may not have been so, that these elections which had gone against him were indications that he had, to a certain extent, lost the confidence of the people; and, of his own accord, he advised the Sovereign to dissolve, so that there might be an appeal to the people, and, as we all know, the appeal to the people was against him. In the first place, I would call your attention shortly to the act of the Lieutenant-Governor in the Province of Quebec. He had found his Ministers in when he came into power, and found them sustained by the representatives of the people in the House of Assembly. He found them in the Upper House, which was a judicial House nominated by the Crown, and they were there also strong.

Several HON. MEMBERS: Hear, hear.

SIR JOHN A. MACDONALD: It is so. I state so as a matter of fact; as a matter of fact the Lieutenant-Governor found them in office. They had then the confidence of the representatives of the people, and they had the support, if that suits better.

MR. BLAKE: To the term “a judicial House” we were objecting, because every man in it was nominated by themselves.

SIR JOHN A. MACDONALD: Every man on the bench is nominated by the advisers of the Crown, and yet they are not judicial officers.

HON. MEMBERS: Hear, hear.

MR. CARTWRIGHT: They have judicial functions.

SIR JOHN A. MACDONALD: I know, Mr. Speaker, it is the fashion in some places, and in some ways, to attack the Senate or the Legislative Council—these nominated bodies. That is a point by itself which, perhaps, we had better not import into this discussion.

MR. BLAKE: We did not import it.

SIR JOHN A. MACDONALD: When I say “judicial,” I mean to say that their functions are supposed to be somewhat analogous to those of the House of Lords. The House of Lords is supposed to have judicial functions; that is to say, they are not to resist the well-ascertained will of the people, and they are to sit judicially upon the measure of the representatives of the people—the House of Commons—so that they may give the people themselves the opportunity, if they think right, of considering that question, the question they are dealing with. They are a check on the House of Commons, the representatives of the people, and in this respect they hold an advisory and quasi-judicial position. That is all I mean in that respect, but the Lieutenant-Governor found a Ministry having the confidence of both branches of the Local Legislature in office, and they were very strong, I believe, in the House of Assembly, but I do not know what the proportions were in the Legislative Council. I believe that they were two to one.

MR. DEVLIN: More than that.

SIR JOHN A. MACDONALD: Two to one. In the Lower House they had a majority of 20 in 65. The Lieut.-Governor had their assurance that his advisers had the confidence of the representatives of the people, and of the other branch of the Legislature, which, wisely or unwisely, was a constituted authority in this case. The whole or nearly the whole of the Session dragged on. The Ministry of the day introduced their several measures. They carried them almost to completion. They brought down, for instance, a system of taxation, which is not a very popular thing for any Government to do, as perhaps

every Finance Minister in his lifetime has found out. This was allowed to go on until it had almost come to completion. The principle measures of the Government were about to become law in a day or two, and all these measures had been supported by strong votes in both Houses. They had been supported, and there was a vote of want of confidence against them on one of these measures, but it was out-voted by a numerous majority, considering the small body of which that House is constituted, and yet, at the last moment, just before prorogation, when they had the proof that both Houses had determined on this, and the proof that the representatives of the people, and until there is an appeal to the people it is to be held that they had the confidence of the people, approved of it, then the Lieutenant-Governor took the opportunity to dismiss these men on the ground that these measures were unconstitutional. Not one of these grounds was sufficient, not one of these grounds can hold water for a moment. I am quite satisfied that if the illustrious individual, or the illustrious personage of whom we spoke to-day, had been in the position of the Lieutenant-Governor of the Province of Quebec, he would rather have cut off his right hand than permit what he would consider an outrage on the British Constitution. I said that by slow degrees England was educated up to the present position of constitutional law. The Constitution is developing every moment. Here, as Bristow says: the Constitution is not now what it was in 1860. The Constitution is not certainly now what it was in 1838, at the time of the Bed Chamber plot. The Constitution of England, at this moment, is being developed to a perfect system, and what we contend, as the right of the people of the Dominion, and the right of every Province of the Dominion, is that we have a right to claim that we have precisely in our several Legislatures, and in respect to the several Legislatures and this Parliament, the same right as the English people have with respect to their Parliament. Now, Sir, look at the case of dismissals even in the time of George III., and he, as we all know,

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said if we draw our authority from the Liberal writers and the Liberal writers of that day are the Liberal Conservatives of to-day—

MR. HOLTON: Do not slander them.

SIR JOHN A. MACDONALD: Edmund Burke made his appeal from the new Whigs to the old Whigs, and he would be in this country what we call a Baldwin Reformer, or in other words, a Liberal-Conservative. Now, Sir, in 1774, it had been laid down by all the writers that the present British Constitution only commenced to get fair play, and that the Rockingham Government was established over the ruins of old George III's Government, Lord Bute and the rest of them, by the influence and by the genius, and by the efforts, and by the writings of Edmund Burke. In 1774 Fox or rather the Duke of Portland, who formed the famous Coalition Government, was dismissed by George III. Well, Sir, even then, although it was admitted by all writers, as well by those who may be considered to be writing on the Conservative side, or the Tory side if you like, as by all Liberal writers, that looking at the unactions of that day by the present light of the present Constitution as at present administered, George III. was wrong, and that George III., if he did now what he did then, would be considered to have committed a great breach of the Constitution. What was the case? It is quoted, and it is one of the examples of how far a bad precedent reaches, and how it may be to the latest instant quoted, when it should be looked upon as a rock to be avoided rather than as a precedent to be followed. The Indian Bill was introduced in the House of Commons. It was carried in the House of Commons, and it was defeated in the House of Lords. George III. was known to be opposed to that measure. George III. knew that it was taking away all the patronage which he was eagerly holding in his tenacious grasp. It was known that its terms transferred the patronage of the Crown to the Ministry of the Crown of the day. Although he was aware of that, and he felt, too, in his heart's core that this was a blow at



what he considered the monarchical principle, and the monarchical power, yet he allowed it to pass through the House of Commons. Although he was opposed to it, and the Ministry knew that he was opposed to it—although they knew that every feeling, and every principle, and every emotion of George III. was opposed to that measure, and yet he allowed his Ministers to introduce that Bill—it was carried through the House of Commons. It came to the House of Lords, and only when it was defeated by the other branch of the Legislature and thrown out, did he say, "You have lost the confidence of one branch of the Legislature." And mind you, Mr. Speaker, that then the House of Lords was of as much consequence, if not more consequence, than the House of Commons. If this was long before the Reform Bill, it was at a time the House of Lords had not only its own power and prestige as a great branch of the Legislature, but it was at a time when it controlled more than one-third, aye, and approaching to nearly one-half of the House of Commons. So that a great peer in the House of Lords was an infinitely greater political man than a political man in the House of Commons, and it was more necessary at that time, if possible, and certainly as necessary, to have the confidence of the House of Lords as it was to have the confidence of the House of Commons; and it was not until there was a vote of want of confidence by throwing out this measure, on which the Administration had staked their whole existence, did he venture to dismiss them. And yet, notwithstanding that case, it is now held by all constitutional writers, held by all statesmen, and held by every man who has carried the constitutional principle into action, that the conduct of George III. cannot be defended as being constitutional.

MR. HOLTON: Hear, hear.

MR. BLAKE: He brought about the vote.

SIR JOHN A. MACDONALD: That is only another instance of the King interfering improperly. I am not defending George III., who certainly brought about the vote.

MR. BLAKE: I am simply pointing out that this was an ingredient in his conduct.

SIR JOHN A. MACDONALD: Still George III. certainly had no right to write that letter to Lord Temple. Certainly this act would not be borne with for a moment now. Although we had under a great State exigency, under the danger of there being a great revolution in England, William IV., doing very nearly the same thing with respect to the Reform Bill. It is admitted that this was a breach of the Constitution, but it was like the suspension of the Habeas Corpus Act in time of war or insurrection. In 1801 Pitt was not dismissed, but he resigned because the King insisted upon his abandoning his project of Catholic emancipation. It was a resignation. It was not a dismissal in terms, but it was approaching very much to a forced resignation. He resigned on the Catholic question. The next dismissal was that of Lord Grenville, in 1817. It took place on one form of the Catholic question, namely, in regard to allowing officers professing the Catholic religion to hold high rank in the army. The King at first consented, but afterwards stated that a misapprehension had occurred as to the extent of his assent, and, therefore requested the Ministry to withdraw the Bill. That the Government consented to do, but the King required a still further pledge from them in writing, that they would never introduce a similar measure. They at once said it would be unconstitutional and derogatory to their position, and they were dismissed. There were two cases in the time of George III.—that of Lord Grenville and of the Portland Administration, the coalition Administration of Fox and Portland. During the whole reign of George IV., there was no dismissal. Although he was opposed to Catholic emancipation, although he had a hysterical abhorrence to that measure, yet he finally yielded to his Ministers. There was no dismissal by George IV., there was one dismissal by William IV., in 1834, and that we have all seen quoted as a precedent for the dismissal in Quebec in 1878. Now, in the first place, there was a great

excuse which was not so well known at the time as it is now, for the conduct of William IV. in dismissing the Government of Lord Melbourne in consequence of the death of Lord Spencer and the elevation of Lord Althorpe, who led the Lower House, to the House of Peers. That you will find described in Greville's memoirs, and in order to show that there was an excuse for William IV. in that case, which does not exist now, I will quote shortly the statement the King made, which is given in Greville, and which has been confirmed in the memoirs of Baron Stockmeyer. When Lord Melbourne went down to Windsor to see the King, on the elevation of Lord Althorpe, the following is stated to have occurred :

“Lord Melbourne told him (that is the King) that as he had only undertaken to carry on the Government in consideration of having the assistance of Lord Althorpe in the House of Commons, his removal made it necessary to adopt a new organization altogether, that some considerable concessions to the principle of Reform were judged to be necessary, and the appointment of a successor of Lord Althorpe, who should carry them into effect. That he was of opinion that, without these the Government could not go on, and at the same time it was necessary to state that there were members of the Cabinet who did not coincide with these views, and who would retire when Parliament met if they were adopted. These were Lord Lansdowne and Spring Rice. Lord John Russell was to lead in the House of Commons, but the loss of Rice would be a severe blow to them. The concessions related principally to church reform, the disunion of the Cabinet being thus exhibited, it was clear the Government could not go on without some material alteration in its composition. The King urged this, and asked Lord Melbourne from what quarter the necessary accession of strength was to be procured, and whether he could hope for it from the Conservative interest. He owned that nothing was to be expected from that quarter. It remained, then, that it was only from the more extreme party that their ranks could be recruited. To this the King would not consent, and he, therefore, imparted to him his resolution of placing the Government in other hands.”

In a note made by Mr. Reeve, who was Clerk of the Privy Council at that time, and who edited Greville's memoirs, it was stated :

“This account of the transaction was confirmed in almost every particular by the statement drawn up by King William him-

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self, or by his directions, for the information of Sir Robert Peel, and first published in Baron Stockmeyer's Memoirs in 1872. That when Lord Melbourne formed his Government he told the King that it could not continue unless Lord Althorpe remained in the House of Commons, and unless it became more Radical and less an old Whig Government. That Lord Lansdowne and Spring Rice, who were known as the leading Whigs of that day, were going to retire, because they would not go with the more extreme party, and that, unless the Government was reorganized he could not carry on the Government.”

Such was the excuse given by the King, and it bore considerable force. Yet, by the entire consensus of practical statesmen and theoretical writers, it had been admitted that William IV. was wrong. Let it be remembered, moreover, that there is this marked distinction between that case and that in Quebec. At the time Lord Melbourne told the King he could not go on without a Radical change in his Administration, and in fact have it recast, he was in a minority in the House of Lords; whereas in Quebec a vote of confidence in the Government was adopted both by the Commons and the Upper House.

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

### After Recess.

SIR JOHN A. MACDONALD resumed. He said: At the time the House took recess I was speaking of the last instance in the history of England when the power of dismissal of Ministers by the Crown was exercised. Such a case had not occurred since then. It was unsuccessful then, as it deserved to be. It received the reputation of Parliament and of the people by the triumphant return of Lord Melbourne and his supporters at the general election, which was forced on unconstitutionally. It has been pointed to with scorn by all writers on the subject ever since; and it is, therefore, an important landmark in the history of constitutional law in England, of an act which can never happen again in the Mother Country, and I would fain have hoped, if it had not been for the recent occurrence in Quebec, it would

never have happened in any country having English institutions. I shall have to quote several authorities with respect to this last outrage and offence against Responsible Government in England, and against the British Constitution. Since recess, I have opened the second volume of the memoirs of Lord Melbourne, written by Mr. McCullagh Torrens, an old Parliamentarian, and a man of high standing in Parliament, than whom no one was more competent to deal with the subject. The writer, who treats the memoir as a narrative, took the ground that, if a change of Government were to be made, it should be carried out in a constitutional manner. Lord Melbourne felt it to be his duty to remind his Sovereign that the Ministry had a large majority in Parliament on a question of importance. The King replied that they were in a minority in the Peers, and he had reason to believe that they would speedily be in the same condition in the Commons, and he added peremptorily they had better, therefore, resign without loss of self-respect. William IV. was quite right according to the principles of the Constitution. If Lord Melbourne thought his Administration had not the confidence of the people, they had the right to appeal to the country if they desired to do so, and it was when he had declined to do so, and not before that, the King should have dismissed him, and brought in another Administration to try the experiment whether the people supported the new or the old Administration. The writer further said that it appeared as though his Majesty—(change Majesty to his Honour)—had been misled into the unconstitutional course of taking counsel from others without the knowledge of his legitimate advisers, and he was about to follow some secret or irresponsible counsel in opposition to their advice. Lord Althorpe, who was of such importance in the King's opinion that his removal from the leadership of the House of Commons to the House of Lords as Earl Spencer on the death of his father, might be supposed to feel flattered by the declaration of his Sovereign, and that his withdrawal from the House of Commons was suffi-

cient to break an Administration. He had made up his mind never more to enter politics and he never did so. But what did Lord Althorpe say?

“He remained for some weeks at Althorpe in seclusion, and finally made up his mind to take no further part in public affairs. But in the calm of his retirement, he was peculiarly qualified to weigh the motives which had led to the dismissal of his late colleagues, and the consequence of that dismissal, and his judgment was unwavering and stern. He suggested to Mr. Hume, with whom I had never had any private confidence, and very intermittent public agreement, that an early opportunity should be taken to ascertain what the opinion of the new House of Commons was upon the mode in which Lord Melbourne had been dismissed. In his view the conduct of William IV. was not only reprehensible, but far too dangerous an example to be suffered to pass unrephehended by Parliament.”

That would be found in a letter dated January 31st, 1835, from Lord Althorpe. It is said that in this age the people do not know the history of their time. In looking at the imperfect histories written of recent days you find little allusion to the philosophic and constitutional reasons affecting the course of the Administration of the nation. I will quote from a well-known History of England, written by Charles Knight, who everyone knows is a great literary man, and great politician, and a great Liberal. The sentences are few, but the words are pregnant with meaning. The author wrote:—

“The sensation produced in London by the reported dismissal of the Ministry was a natural consequence of the suddenness of the act, as it presented itself to the body of the people in its really unconstitutional character, as it appeared to thoughtful and well-informed men. The Sovereign had a constitutional right to dismiss his Ministers, but it must be on grounds more capable of justification to Parliament than the simple exercise of his personal will. The suddenness of the resolve rendered an arrangement necessary, which could not be justified by any precedent, except on an occasion of critical emergency in the last days of Queen Anne.”

That was when it became a question whether a Pretender, a Stuart, should be raised to the throne, or that the Hanoverian succession should be maintained. Let me quote from a periodical, then of considerable more weight than it has now, viz.: *The Edinburgh*

*Review*, on this subject, and I think the House will agree with me that the sentences are pregnant and the language forcible. The *Edinburgh Review* said:—

“The power of the Crown to choose its Ministers is clearly a necessary attribute of the monarchy. But is it now exercised under adequate checks? Some intriguing courtiers, some clamorous friend who has access to the Royal ear, some politician who has a purpose to serve, and cares little if a new Ministry lasts no longer than his own gratification requires, may abuse the Royal confidence, and blindly bring on an experiment, all but desperate for both King and country, of changing the Ministry. By the strict letter of the law, the Minister who accepts office is responsible for the charge which removed his predecessors. But suppose one Ministry displaced, and that no one agrees to take its place. Suppose this suspension of ministerial functions to continue for weeks, who is answerable for that? Indeed, if the King has once dismissed his Ministers, or he is left without a Government, hardly any practical responsibility could ever be incurred by the men who only entered into the places made vacant long before they were consulted.”

The language used in this article is so strong, that I do not care to read it all, lest it should be supposed that I did it for party purposes, or with the intention of applying it expressly to the circumstances in Quebec. Further on it proceeds:—

“If any one thinks that the view here taken of the late change of Ministry is too strong, let him reflect on the wholly unprecedented circumstances which distinguished that strange event. Between his majority and his confidential servants there existed no difference of opinion upon any subject of policy, foreign or domestic. This is now explicitly admitted by the Tories themselves. Among the Ministers reigned the most perfect harmony on all questions, and personally the members of no Cabinet ever were on more cordial terms one with another. This, too, is admitted, and the King's speech describes their whole policy as perfectly unexceptionable and uniformly successful. Lord Althorpe became a peer, Parliament was not sitting, and therefore, and for no other reason whatever, as is now allowed by all, the King changed his Government, called to his Councils the most opposite class of statesmen he could find, to give his confidence to the men whom the country most distrusted and disliked, and would not even wait a few days before he cleared out his House. That he had been wishing to change the Ministry for some time is very possible. But when his Royal father, said to be one of the

ablest professional men of his day, wanted to make such changes, he always waited his opportunity, and seized on some measure, or on some pretext in some moment when there was a cry against his servants, to deliver the Ministry into the people's hands, and appoint more popular successors, men whom he liked, not certainly because of their popularity, but in spite of it. It was thus that when Mr. Fox died in September, 1803, His Majesty waited till a no-Popery cry could be raised, and only turned out the Whigs six months after they had lost their mighty chief. The secret advisers of the present King have done much, certainly, to dispirit and to alienate by their late proceeding, but nothing to show that they are gifted with his Royal parent's kingcraft. They seem to think that a King should turn off his Ministers much as a gentleman does his livery servants.”

That is the opinion of the *Edinburgh Review*. I have said that no dismissal has taken place since that time. George III. dismissed his Ministers in two instances, William IV. in one instance, George IV., with all his faults, never thought of such a thing. He fainted on one occasion; he wept; he deplored his sad fate in being obliged to submit to his Administration on the Catholic question, but he yielded; and Queen Victoria has, in no case, committed such an outrage on the Constitution as to dismiss a Ministry which had the confidence of the representatives of the people. The nearest approach to that in the Queen's history is what is called the Bedchamber Plot in 1838, not two years after she ascended the throne. On the resignation of the Whig Administration, Sir Robert Peel was sent for, and he insisted that the Ladies of the Bedchamber, who were the wives of the defeated Ministers, should also retire. He did not interfere with the Maids of Honour and others, but he said it was unseemly that the great ladies of the Court should be the wives of the members of the defeated Administration, that the wife of the defeated Prime Minister, for instance, should be continually at the ear of the Queen, conveying her husband's sentiments and the opinions of the Opposition. The Queen, then a young woman, naturally clung to the friends of her youth, and she declined to have them removed. Sir Robert Peel declined to form an Administration unless they were removed. There was, at the

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time, great sympathy with the Queen. I remember it quite well. I remember how it rung through the press in England about the attempt to force upon Her Majesty, this young lady, strange women, instead of those she respected and esteemed and had been brought up with. But, in 1842, when the Queen had become a little more acquainted with kingcraft, and knew her position, and when Sir Robert Peel was called in again she admitted that she was wrong, and allowed the Ladies of the Bedchamber to be removed, and in the "Life of the Prince Consort," in the previous book, you will find some leaves written by the Queen, where she gracefully and frankly acknowledges that she made a mistake. That is the only instance, and it has a very remote resemblance to this case. It was the cause of the refusal to take office of Sir Robert Peel, because the Queen insisted on her personal predilections in opposition to the principle that even the *entourage* of the Sovereign should be selected under the advice of the responsible Ministers of the day. The only case that at all appears to give a justification for the course taken in Quebec is that which happened the other day in South Africa; the action of Sir Bartle Frere, who dismissed a Ministry and sent for a new one. That is defended, faintly defended, perhaps, and if it proves to be on true ground, it will be upheld. The result will show whether he will be upheld or not. But his justification is *salus populi suprema est lex*. It was a case where all constitutional practice must be set aside in the presence of a great danger. There were a few white men in the South African colonies. There were 200,000 *Noulos* threatening them on one flank, and the great body of the aborigines threatening the whole frontier, and Sir Bartle Frere said: "I must take this course, or I may have upon my conscience the blood of every white man in South Africa." We know how fractious the Molten's Government has always shown itself. That Government declined to give the control of the militia force in South Africa to the commander-in-chief. England had her military forces there, and was responsible for the safety of

those great and growing colonies. England said: "If we are to fight your battles, we must have the control of your martial force. We cannot have a divided command. We cannot have our Sir O'Grady Haly controlled by Col. Walker Powell, your Adjutant-General. We cannot have two separate and independent forces acting under different commands and without a common responsibility." This was defended, I think, in the *Saturday Review*, and certainly in the *Pall Mall Gazette*, upon the same ground on which the *Habeas Corpus* Act, the charter of British liberty, might be suspended in the presence of threatened rebellion, or certain war. On that ground, and on that ground only, is it defended, and on that only is it defensible. There can be no application of that case to the present, where there is no war, or expectation of war. Where there is no fear of external attack or internal commotion. Peace, thank God, dwells on our border, and we can carry out the British system in its entirety without any such infringement as we have seen on this occasion. Look at the different course of Sir George Bowen, where the circumstances were more than suspicious, when the apparent action of the Government, so far as we can understand it, was such as to propose to disarrange the whole machinery of the Government. The Judges, the officials were all paid off, and the threat was made that unless the Upper House yielded to the Lower, and passed a Bill to pay the latter their wages as Members, the lunatic asylums and prisons and penitentiaries should be opened, and all the idiotcy and madness and crime should be poured out upon the colony, and yet the British Government sustained Sir George Bowen in saying: "I must sustain my Administration, who have the confidence of the people, unless Imperial interests are threatened. It is not for me to judge; I must take my advice from my Administration." And the Liberal press in England sustain him in that. No more able article has been written than that in the *London Daily News* on this subject, showing that if the Colonies were to be really a *fac simile* of the British Constitution, it must be carried

out to its utmost extremity short of war or bloodshed. And the natural consequence had proved to be that a compromise, from the necessity of the case, had arisen between the two Houses, simply because Sir George Bowen, though the course of his Ministers was opposed by every newspaper in England, supported them, because they had a majority in Parliament. I said a little while ago that we must judge of the British Constitution as it is now, as it has been developed, and not as it was fifty years ago, seventy-five years, or thirty years ago. I shall call the attention of the House to what I believe to be the true principles of the British Constitution on the point which I am pressing upon the consideration of the House at this moment in 1878. I shall first quote an author who has been quoted again and again, Mr. Bagehot, whose lamented decease struck England with sorrow, especially all political constitutionalists, for he was considered the authority of the day on constitutional law. If I am permitted in this argument to relate a little anecdote, I would do so with reference to this gentleman. This book from which I quote was in the first place published in the *Fortnightly Review*. I had read some of the numbers before I went to England in 1865, and I was dining with the "Political Economy Club," of London, of which the hon. the Premier is a member, when in the course of a conversation on political economical matters with a gentleman who sat near me, I said: "I have been very much struck with some articles in the *Fortnightly Review* on the English Constitution. It seems to me that they give the only true picture of the British Constitution as it now exists. They are written by one Mr. Bagehot." He said: "I am very glad you like them, because I am Mr. Bagehot." From that time an acquaintance grew up between us, which only ceased with his lamented death. Let me now read from him:

"Principle shows that the power of dismissing a Government with which Parliament is satisfied, and of dissolving that Parliament upon an appeal to the people, is not a power which a common hereditary monarch will in the long run be able beneficially to exercise.

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"Accordingly, this power has almost, it not quite, dropped out of the reality of our Constitution. Nothing, perhaps, would more surprise the English people than if the Queen, by *coup d'état* and on a sudden, destroyed a Ministry firm in the allegiance, and secure of a majority in Parliament. That power indisputably, in theory, belongs to her; but it has passed so far away from the minds of men, that it would terrify them if she used it like a volcanic eruption from Primrose Hill. The last analogy to it is not one to be coveted as a precedent. In 1835, William IV. dismissed an Administration which, though disorganized by the loss of its leader in the Commons, was an existing Government, had a Premier in the Lords ready to go on, and a leader in the Commons willing to begin. The King fancied that public opinion was leaving the Whigs and going over to the Tories, and he thought he should accelerate the transition by ejecting the former. But the event showed that he misjudged. His perception, indeed, was right; the English people were wavering in their allegiance to the Whigs, who had no leader that touched the popular heart, none in whom Liberalism could personify itself and become a passion—who besides were a body long used to Opposition, and, therefore, making blunders in office—who were borne to power by popular impulse which they only half comprehended, and perhaps less than half shared. But the King's policy was wrong; he impeded the reaction instead of aiding it. He forced on a premature Tory Government which was as unsuccessful as all wise people perceived that it must be. The popular distaste to the Whigs was as yet but incipient, inefficient, and the intervention of the Crown was advantageous to them, because it looked inconsistent with the liberties of the people, and in so far William IV. was right in detecting an incipient change of opinion, he did but detect an erroneous change. What was desirable was the prolongation of Liberal rule. The commencing dissatisfaction did but relate to the personal demerits of the Whig leaders, and other temporary adjuncts of free principles, and not to those principles intrinsically. So that the last precedent for a royal onslaught on a Ministry ended thus: in opposing the right principles, in aiding the wrong principles, in hurting the party it was meant to help. After such a warning, it is likely that our monarch will pursue the policy which a long course of quiet precedent directs, they will leave a Ministry trusted by Parliament to the judgment of Parliament."

And so he winds up the whole of his discussion on this subject by this pregnant phrase:—

"The Queen can hardly now refuse a defeated Minister the chance of a dissolution, any more than she can dissolve in the time of an undefeated one, and without his consent."

This quotation has been already used in a speech made by Mr. Chapleau, and he made a long quotation from Bagehot which I did not recognize and which I could not find. I thought that I knew this work by heart. It has been my guide as regards the principles of the British Constitution. I searched the different editions but I could not find it. I telegraphed to Mr. Chapleau to find out where he got that quotation, and he gave me the reference. It is a rather singular thing that it has never yet, (until it was translated by Mr. Chapleau, or for Mr. Chapleau in his speech), appeared in English. Bagehot's book at once took public attention, and a French edition was published of it. It was published in 1872, I think immediately after a book on the British Constitution was written by the late Monsieur Prevost Paradol; and in the French introduction to his book, which otherwise as a translation of this he discusses some of the points taken by Monsieur Paradol, in his book on the British Constitution. I have the original edition here in French, but I shall not trouble you with my imperfect French, I will read to you Mr. Chapleau's translation of it, which I have verified as being a correct translation. I have already read you the first passage he quotes, and I shall read it on account of its importance again:—

“The Queen can hardly now refuse a defeated Minister the chance of dissolution any more than she can dissolve in the time of an undefeated one, and without his consent.”

This is the quotation which only appeared in French, but I shall read you a translation:—

“And no monarch should dissolve Parliament against the will and the interest of the Ministry which is in power, no doubt the King can dismiss such a Ministry and replace it by another Administration whose advice to dissolve Parliament he could take; but even with this precaution, to act thus towards a Ministry, which had a strong majority in Parliament, would be to strike a blow which it is almost impossible to suppose. We do not believe that Queen Victoria herself, in spite of the popularity and respect by which she is surrounded, to a greater extent perhaps than any of her predecessors, would

even have recourse to such a measure. What would be thought if she should venture to reason thus.”

Apply the reason to Quebec, and you will at once see the pregnancy of this passage:

“The Whigs are in a majority in the existing Parliament, but I think that the country would favour a Tory Administration; let us, therefore, dissolve Parliament, and see whether the country will not elect a Parliament of opposite opinion to those which prevail in the present Parliament. What would be thought of this? No Englishman can dream even of a catastrophe of this nature, but it to them appears to belong to the phenomena of a world altogether different from that which he inhabits. In practice, in England the Sovereign considers himself obliged to follow the advice of the Ministry which the House of Commons desires to maintain in power. All prerogatives at variance with this principle have fallen into disuse, but the Sovereign may accord to the people a majority which is denied it in the House of Commons; but to strike from behind, so to speak, and strangle, by means of an appeal to the country, a Ministry sustained by Parliament, would be an event which no longer enters into the calculation, although, in former times, instances of this occurred in our annals.”

No stronger passage could be written, and it could be written by no stronger authority than by Mr. Bagehot. I read you, Sir, a long passage as to the difference between the legal prerogative and the constitutional exercise of it, from Freeman, in his “Growth of the English Constitution,” which has just come out, you know; and I shall only read you one, that sentence which agrees in every respect with the language of Mr. Bagehot:

“The written law leaves to the Crown the choice of all Ministers and agents, great and small. Every appointment to office and dismissal from office, as long as they have committed no crime which the law can punish, is left to the personal discretion of the Sovereign; but the unwritten law or the unwritten constitution makes it practically impossible for the Sovereign to keep a Ministry in office when the House of Commons does not approve, and it makes it almost equally impossible to remove from office a Ministry whom the House of Commons does approve.”

But, Sir, we cannot do better than quote what has been quoted again and again, and I feel that my remarks on this occasion would be imperfect

unless I quoted an authority which we have to-day admitted to be an authority—the authority of our respected Governor-General. What said the Earl of Dufferin, our Governor-General, at the time, in 1873, when he was at Halifax :

“My only guiding star in the conduct and maintenance of my official relations with your public men is the Parliament of Canada. I believe in Parliament, no matter which way it votes; and to those men alone whom the deliberate will of the Confederate Parliament of Canada may assign to me as my responsible advisers, can I give my confidence. Whether they are heads of this party or of that party must be a matter of indifference to the Governor-General. So long as they are maintained he is bound to give them his unreserved confidence, to defer to their advice, and to loyally assist them with his counsels. As a reasonable being, he cannot help having convictions on the merits of different policies, but these considerations are abstract and speculative, and devoid of practical effect in his official relations. As the head of a constitutional State as engaged in the administration of parliamentary government, he (the Governor-General) has no political friends; still less can he have political enemies. The possession, of the being suspected of such possession, would destroy his usefulness.”

But, Sir, we have more than that. In our own history we have got the practical instructions given by Her Majesty to Lord Elgin at the time Lord Elgin had before him the difficult question of the position of his Government in 1847. When he came out to this country, what did he find? He found the two Canadas almost at a dead-lock. He found the Government of that day, of which I was a member—my first entry into politics—supported by a majority from Upper Canada, when all Lower Canada was banded against it. He found that this Government was formed on what I must say was the unwholesome principle of one race against the other. He was very anxious, for he was not mixed up with the questions connected with the formation of the Government, and all the questionable proceedings of Lord Sydenham with it, in carrying the elections of 1844.

MR. HOLTON: There was Lord Metcalfe later.

SIR JOHN A. MACDONALD: I am coming to Lord Metcalfe. Lord Elgin was not mixed up in any way

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with the *personnel* of the Government which Lord Metcalfe tried to keep up in Canada. He came out here for the purpose of carrying out the principle which they adopted in September, 1841, but which had never, in fact, been worked thoroughly, either by Lord Sydenham or by Lord Metcalfe, and he consulted his chief in the Colonial Department as to his position at that time. You will find what the present Lord Grey then, and sometime before and longer afterwards, an able Colonial Minister, did. These were the instructions which Lord Grey then gave to Lord Elgin, and which Lord Elgin carried out :

“The object with which I recommend to you this course is that of making it apparent that in any transfer, which may take place, of political power from the hands of one party in the Province to those of another, is the result, not of an act of yours, but by the wishes of the people themselves, as shown by the difficulty experienced by the retiring party to carry on the Government of the Provinces according to the forms of the Constitution. To this I attach great importance. I have, therefore, to instruct you to abstain from changing your Executive Council until it shall become perfectly clear that they are unable with such fair support from yourself.”

Mind you that, even then, although Lord Elgin was of opinion that for the good of Canada, a new Administration should be formed, in which the French element and the English element should equally or nearly equally predominate, yet even then the instructions to Lord Elgin were :

“I have, therefore, to instruct you to abstain from changing your Executive Council until it shall become perfectly clear that they are unable, with such fair support from yourself as they have a right to expect, to carry on the Government of the Provinces satisfactorily, and command the confidence of the Legislature.”

These authorities are, I think, sufficient to prove the case that in England the power of dismissal of a Government having the confidence of Parliament is gone forever, and that, if it is gone there, it ought never to have been attempted to be introduced in a colony under the British Crown. But, Sir, if you will look at the causes, if causes they can be called, why the Administration was changed in Quebec,



you will find that all the objections are taken by the chief of the Executive to the legislation of his Ministers, and not to the administrative acts of his Ministers, not to anything they had done. It is true that he quotes an act of administration respecting the appointment of a Councillor in Montmagny; but that does not appear, however, in the case laid before Parliament, and we have no right in one sense to look at it, or quote it at all, because the case of the Governor and his advisers must be governed by the paper laid before the Legislature of Quebec before its prorogation; but, for the purpose of illustration, I will take the only act he complains of in administration, and this was that this Councillor was appointed by the Crown instead of being elected by the people. The circumstances were that there was a real or supposed irregularity in the appointment. The Attorney-General reported that the appointment was null and void, and that the Crown by law had the power to fill up this vacancy. Filled it was on the report of the Attorney-General, and the Lieutenant-Governor sanctioned it, but afterwards he thought that he was wrong, and he pressed that opinion on his Government. The Attorney-General still held to his opinion, but the First Minister yielded to the pressure brought upon him by the Lieutenant-Governor, and took his opinion upon it, and the appointment was cancelled, and yet it was actually made a charge, apparently made a charge, against the Administration that they took a step on the advice of the Attorney-General; but afterwards, on the head of the executive remonstrating with him, in deference to his opinion, they took his advice. With that single exception, it occurs to me, from my recollection of the paper, that all the objections made to the course and action of the DeBoucherville Government were that there was a difference of opinion as to the legislation which was carried on in the Quebec Legislature. Now, Sir, there is a distinct difference between acts of administration and acts of legislation, and that I think will be obvious from the nature of the case. The Sovereign is the chief of the executive. The Crown, with its advisers,

is appointed to carry on the administration of affairs, public or executive, and to administer matters. The Crown, it is true, nominally is a branch of the legislative power, but it has really ceased to be a branch of the legislative power. There is a mighty distinction between the legislation and the administration of Ministers, and you can well see the reason of the difference. With the single exception of matters involving a charge upon the people, any member of this House, whether he is a member of the Ministry or not, can introduce a measure. Any member of the Quebec Legislature could have introduced an Act stating that if these municipalities did not pay up there would be no necessity of going to the Courts, and the Governor-in-Council should make summary proceedings to enforce their obligations. Any member could have done it, and if the House chose to carry it, then the Ministry would be obliged to yield. And not only that, Mr. Speaker, but if that legislation, no matter how important it may be, is brought before Parliament, it is a contempt of the privileges of this House for any man even to quote or suggest what the opinion of the Crown is respecting any political question. But it so happens that all the changes that have taken place in England are mostly—indeed all the changes except two that have taken place, have been on questions of administration, or questions of want of confidence in the capacity of the Government to administer affairs. Only two instances are known since the time of George III. until up to this present moment, when there was a dismissal or resignation of the Ministry in consequence of the difference between the Crown and the advisers of the Crown on matters of legislation, and these were on similar questions—that is, on the question of Catholic disability. The dismissal of Lord Melbourne was founded on the opinion of the King, that they could not satisfactorily administer affairs; but no difference of opinion, no question as to legislation, arose at all. The only two instances, as I said before, in which Ministers were dismissed on account of difference of opinion between the King and

his advisers on matters of legislation were in—no, there were three cases. In the first place, there was the *Mora* Bill. It was objected to by the King because it deprived him, as the chief of the executive, of his patronage as chief of the executive. Then he objected to the Catholic Emancipation Bill, in 1801,—which Pitt had promised,—and he forced Pitt to resign, because Pitt would adhere to the promise which he had made to the Irish people at the time of Union in 1800. The next dismissal on account of legislation was when Lord Grenville was dismissed, in the manner which I have already mentioned, because he would not sign a pledge never afterwards to bring up the question of allowing Catholic gentlemen to hold high commands in the British army. There were only three instances, and they were instances only to be mentioned to be considered, to be cited, to be pointed at as outrages on the British Constitution. There was this difference: it had been conveyed to poor old George III. by the Chancellor, the head of the English Church, the Archbishop of Canterbury, that he would be committing a breach of his Coronation Oath if he allowed such legislation. Lord Melbourne, then Mr. Dundas, declared that such allegation was absurd. That when he swore as King that he would preserve the rights of the Protestant Church, as by law established, it meant that he would defend those rights as by law established, but if the law changed then he must defend them as altered. The answer of the King, which was well known, was that he did not want any Scotch metaphysics, that he had taken the oath and was bound by his conscientious scruples. We may regret that he had that conscientious scruple, because it has been the cause of much misery and misfortune to the United Kingdom of Great Britain and Ireland. It has been one of the principal causes that England and Ireland are not now one in heart and feeling, as Scotland and England have been ever since 1700. Still we must have respect for the conscience of the King. But, I point out to the House that, with the exception of the cases I have quoted, cases not to be repeated, but cases to

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be held up as warnings, that British Legislatures and people should never fall into committing the same mistake again, all the causes of dismissal and of forced resignation were on matters of administration. On that point I quote "May," 1859. Some gentleman has handed me this paper:

"What of Sir Edmund Head's refusal of a dissolution to the Brown-Dorion Government?"

I am not bound to defend Sir Edmund Head, but my answer is this: Sir Edmund Head, at the time he sent for Mr. Brown, told Mr. Brown he was going to charge him with the formation of a Government, but Mr. Brown must understand that he must not suppose that, if he did form a Government, he would have the right of dissolution, as a matter of course. That, after the Government was formed, he would hear reasons given for it, and then he would judge for himself. The Sovereign of the day can send for any person he likes, and can charge that person with the formation of a Government, stating on what conditions he could form it.

MR. MILLS: That is not consistent with *Bagehot*.

SIR JOHN A. MACDONALD: I say it is. The Sovereign can attach certain conditions to the power given to a member to form a new Ministry. The only power the Crown can exercise personally, was that of attaching conditions to the power to form a Government, and of insisting on a dissolution by his Ministry. Sovereigns have again and again, in English history, given permission to form an administration on certain terms. If the person did not choose to accept the terms, the Sovereign must form an administration and get the confidence of Parliament. Sir Edmund Head in this case told Mr. Brown that he must not understand, if he accepted office, that he was to get a dissolution, as a matter of course, and that such would be granted only after sufficient reasons to convince him as to its necessity were given.

MR. MACKENZIE: He was working in accordance with Parliament.

SIR JOHN A. MACDONALD: You say he was working in accordance with the majority of Parliament. I was arguing that matters of legislation stood on quite a different basis from matters of administration. As a general rule, the Crown did not interfere in matters of administration, but left those to Parliament, and the only instances in which the contrary had been the case are those I have quoted, which are precedents not to be followed, but which are held up by all constitutional writers as infringements on the true principles of the British Constitution. Not only is that held to be the case when Pitt took office and a resolution was moved in consequence of its having been reported through the country that the King was against the Portland and Fox coalition Government, and the India Bill by Mr. Baker on December 17th, 1783, which, after denouncing secret advices to the Crown against responsible Ministers, and the use of the King's name set forth—

“That it is now necessary to declare that to report any opinion or pretended opinion of His Majesty upon a Bill or other proceeding with a view to influence the vote of the members, is a high crime and misdemeanour, dangerous to the honour of the Crown, a breach of fundamental principles of Parliament and subversive of the Constitution.”

The motion was carried by 153 to 80, notwithstanding all the opposition of Pitt, who was ultimately successful in the struggle, though, according to our present views of constitutional principles and laws, he was altogether wrong in the course he pursued on that occasion. Why, it is impossible that the same principles can apply to acts of administration and acts of legislation. I tried it the other day in this House. The hon. Minister of Justice introduced a Bill respecting penitentiaries, and I rose and asked him if the Governor-General had assented to the measure. He said, “No”. He looked at the Premier, and the Premier looked at him, and said to me:—“I do not think it is necessary.” I said, “Neither do I, but the Lieutenant-Governor of the Province of Quebec thought it was necessary he should be consulted about all measures.”

MR. MACKENZIE: The right hon. gentleman is not now quoting me quite correctly.

SIR JOHN A. MACDONALD: I think so.

MR. MACKENZIE: I thought the right hon. gentleman referred to some financial part of the scheme. When I said it was not necessary, I referred wholly to the usual sanction for Bills.

SIR JOHN A. MACDONALD: He thought of no financial clause in it requiring the previous assent of the Crown.

MR. MACKENZIE: Every Bill the Ministry introduces has the assent of the Crown.

SIR JOHN A. MACDONALD: I have been a member of five Administrations. I have sat under five Governors—Lord Elgin, Sir Edmund Head, Lord Monck, Lord Lisgar, and Lord Dufferin, and I never heard that doctrine proclaimed before. We know perfectly well that the Governor-General, as the Queen can, if he chooses, send for the Ministers, and say: “I do not like that Bill, and I would like to discuss it with you. I think you must modify it or hold it over.” The Sovereign can thus interfere if he chooses, but practically he leaves all legislation to the country. The proof of that is found in the fact that any member of the Opposition, in all matters excepting those connected with finance, which must be preceded by a message from the Crown, were just as competent to introduce every Ministerial measure as hon. gentlemen on the Treasury benches, and as competent to amend any measures. The House saw the other day a Bill introduced by the hon. the Postmaster-General, to which the hon. member for South Bruce moved an amendment which entirely destroyed and changed the whole aim and end of the Bill.

MR. MACKENZIE: No.

SIR JOHN A. MACDONALD: The hon. gentleman accepted it. He did not propose that it should be deferred until he went to Rideau Hall to consult the Governor-General. So it is with all other Government Bills. I venture to say that, with the exception

of the general statement, which, of course, is made by the hon. the First Minister at the beginning of the Session as to what is contained in the Speech from the Throne, all Departmental Bills were introduced without the sanction in any shape of His Excellency. Hon. gentlemen opposite will not deny that statement. Yet the whole cause of objection to the course taken by the Quebec Administration was because the Lieutenant-Governor did not agree with the policy of the legislation, although that policy was passed and approved by the representatives of the people by a large majority. The Lieutenant-Governor allowed his Ministry to introduce their Bills, he saw day after day the discussions in the House, every day received the Votes and Proceedings, and, in fact, laid in wait for his Ministers. He allowed them to bring down the Supply Bill, and almost allowed them to carry the Appropriation Act. He allowed them to carry through their Bill respecting railways and that respecting the doubling up of the subsidies, and, strange to say, that the same Bill for doubling up the subsidies, which was one of the first causes given why they were dismissed, received the Royal assent of the Lieutenant-Governor on the advice of the successors of the late Government. That Bill in no way increased the burthens of the people, the subsidy having been voted years before Mr. Letellier was Lieutenant-Governor, there being a provision that if a portion of the subsidy was not taken advantage of for certain railways, it could be applied for the benefit of other railways. That was the law before Mr. Letellier was Lieutenant-Governor. The Act was merely carrying the law into force. The Lieutenant-Governor gave, as one of his first reasons for dismissing his Ministers, that they had passed the law without consulting him. Yet it was by the advice of Mr. Joly that it was now the law. As an hon. member near me says, Mr. Joly was President of one of the roads, and voted for the measure in regard to which he advised the Lieutenant-Governor to dismiss Mr. DeBoucherville. Actually he who voted and supported the mea-

sure, and was in one sense interested in it, and was now responsible for the measure becoming law, was a party to the dismissal of Mr. DeBoucherville, because he had introduced the Bill and carried it through the Legislature. He approves of the Act, but procures the dismissal of the man who obtained its passage. The Stamp Act, which was introduced last Session, was a very important one. Before the hon. the Minister of Inland Revenue got his Amendment Bill through the Committee, he must not have known his own progeny. It was like the gun which had a new lock, stock, and barrel. Was the assent of the Governor-General obtained to the Bill, or to any amendments made to it? And yet, forsooth, the Lieutenant-Governor of Quebec was to decide and govern what the legislative policy of the people is to be. He, like Jupiter, shakes his ambrosial locks, gives his nod, and the legislators have merely to register his decrees. No such thing could happen in England. The Queen knows too well what her duty is. She keeps a sharp and watchful eye upon the foreign policy. No one can read the memoirs of the Prince Consort without feeling what a great woman, a great stateswoman, if there is such a word, she is, and with what watchful and patriotic a care she guarded, and studied, and considered the administration of the nation. But, as regards the legislation of the nation, she left that, as it ought to be left, to the people through their representatives. She was satisfied with the old sliding scale of the corn duties in the old Corn Law times. She was satisfied with the fixed duty of four shillings a quarter declared by Lord John Russell, and with the free trade in corn declared by Sir Robert Peel. She was satisfied with the sustaining of the Established Church in Ireland so long as her Ministers advised her so to maintain it. She was satisfied with the disestablishment of her own Church, of which she was the head, as soon as the representatives of the people in Parliament decreed it. She received with like equanimity a Reform Bill from one Government or a retroactive measure from another. She knows it has ceased to be a portion of the attributes of the Crown to possess any power in legis-

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lation, and the strongest proof of that is that the power of veto has gone, and that while the Sovereign is still the head of the Executive, she is only nominally the head of the Legislature. She cannot veto a bill. It has not been done since Queen Anne's time. It is as effete as the dodo. It is no part of the Constitution of England. This is laid down by all the writers. I shall quote again from Mr. Bagehot, page 143:—

“To state the latter shortly, the Sovereign has under a constitutional monarchy such as ours, three rights, the right to be consulted, the right to encourage, the right to warn, and a King of great sense and sagacity would want no others. He would find that his having no others would enable him to use these with singular effect. He would say to his Minister: ‘The responsibility of these measures is upon you. Whatever you think best shall have my full and effectual support, but you will observe that for this reason and that reason, what you propose to do is bad, for this reason and that reason, what you do not propose is better. I do not oppose, it is my duty not to oppose, but observe that I warn.’”

And that is the duty of a Sovereign. If any legislation, carried on by a Ministry having a majority in Parliament, and, of course, they cannot carry it on without that, was opposed to the view of the Sovereign, he had the right to send for his First Minister, and say, “I will continue to support you, but I have had experience for years, and I warn you,” and that is substantially the only power he has in matters of legislation. On page 125, Mr. Bagehot says:—

“The popular theory of the English constitution involves two errors as to the Sovereign; first, in its oldest form, at least, it considers him as an estate of the realm, a separate co-ordinate authority with the House of Lords and the House of Commons. This, and much else, the Sovereign once was, but this he is no longer. That authority could only be exercised by a monarch with a legislative veto. He should be able to reject Bills if not as the House of Commons rejects them, at least as the House of Peers rejects them. But the Queen has no such veto. She must sign her own death warrant if the two Houses unanimously sent it up to her. It is a fiction of the past to ascribe to her legislative power. She has long ceased to have any.”

Nor can the House of Lords interfere effectually, if the House of Commons

declares in favour of the policy of the Government of the day. May says:—

“The responsibility of Ministers has been still further simplified by the dominant power of the Commons. The Lords may sometimes thwart the Ministry, but they are powerless to overthrow a Ministry supported by the Commons, or to uphold a Ministry the Commons have condemned. Instead of many masters, the Government has only one, that is the people. Nor can it be said that master has been severe, exacting, or capricious.”

Sir, I contend that the Government of Quebec having a majority in both Houses, should be sustained by the Governor. If the Governor thought they had forfeited the confidence of the people, he had a right to insist on having a dissolution, but he must leave it in their hands. I have quoted these authorities to show that it is utterly impossible for a Ministry to be maintained if they lose the confidence of Parliament, and utterly impossible for a Ministry to be dismissed if they have the confidence of Parliament. The Lieutenant-Governor of Quebec, if he had chosen to pursue the legitimate course, would have said to his advisers: “I do not agree in this policy of yours, and I do not think that the people do.” He should have said that the moment when he knew the policy of the Government, when he knew the measures were introduced, and he had the right to send for his Ministers and say, “I see that a measure has been, or is to be, introduced, and I ask what it means.” Although the Crown never does interfere, he might have sent on theoretical grounds for the Prime Minister, and said, “I do not approve of it, and I will insist upon you leaving it to the people, upon your hurrying through the Session, and withdrawing the measure, and submitting it to the people to see if you have their confidence on general grounds.” That would be an extreme measure, which the Queen would never think of taking, a step which she would think would be an outrage on the Constitution. But still in that case there would have been an adherence to the letter of the Constitution. But what was done here? The Legislature had met, and had passed a series of laws. It was known what the policy of the Government was. All their measures were

submitted to Parliament. They were going on from day to day, and from week to week, without objection or without a warning such as that mentioned by Bagehot. The measures were almost completed when at last the Government were told: "There is the door, and you must go." It was a *coup d'état*. It was an outrage on the Constitution. It was an outrage on free institutions, and above all on British institutions, and as such I move that the course taken by the Lieutenant-Governor was both unwise and unconstitutional. Unwise it certainly is, and its unwise-ness is obvious from the imputations thrown out as to the motives which govern him in that course. In this discussion, I have tried to sever the condemnation of his acts from any charge against the Lieutenant-Governor. I am sure he has made a mistake. I know he has committed a breach of the Constitution. I condemn the act, but it is not for the purpose of my argument to say anything against him, except that the act which he has committed was an outrage on the Constitution. It was unwise, not only because it was against the spirit if not the letter of the Constitution, but because it was liable to the imputations thrown out, and the suspicions which it has engendered. Here we are, just before a general election in which there is to be a struggle of considerable, perhaps, of extreme, warmth, from one end of the country to the other. It is alleged that the present Government has not the confidence of the people of Lower Canada. It is alleged that Mr. Letellier was a partizan of the present Government. He had before been one of its Ministers, and it is alleged was sent down there as a partizan. It is alleged that he allowed a Ministry having the confidence of both Houses, having the confidence of the representatives of the people, to carry their measures almost to the end of the Session, and, at the last moment, when he thought the legislation was complete, he sent them adrift and brought in new men belonging to the same political party as himself, who had supported him when he was a member of the Government, and that all this was done for the purpose of getting hold of power in the Province

of Quebec to be used at the general election. This is a widely spread charge, be it untrue or be it true. The very fact of this act being done by the Lieutenant-Governor at the time, as it must have been obvious to him, and to any man of common sense, that it would be liable to do, has given rise to that charge, to that imputation, to that suspicion. It was a matter of unwise-ness, as it tended to show, perhaps, that the Government did not exhibit the greatest discretion in choosing him for that office. But it is not without some foundation, that those who are opposed to the present Government may think perhaps that their suspicions are well founded, and those suspicions grow, among other things, from the remarks which had been made by the Ministerial Press itself. The *Halifax Chronicle*, a paper which the hon. the Minister of Militia will not disavow, says:

"If a general election should take place in Quebec now, the Liberals would have good prospects of capturing the Government of the Province, which is supposed to be the stronghold of Conservatism."

The *Hamilton Times*, a paper which I fancy the hon. the Premier will not disavow, says:

"The dismissal of the Quebec Government is the talk of the Lobbies. The Tory members are gathered in groups and discussing the situation, which is most grave. They condemn the action of the Lieutenant-Governor. Their fear is that the new Ministry will cause their names to be announced to-morrow in the House, and the moment that is done have Parliament prorogued. This would give the new Ministers time to ferret out the rascality of the old Cabinet, and make a full exposure of it when they appeal to the country, which would take place at the time the Dominion elections are held, and would give the Liberal party an unusual strength in the Province."

The rumour was, therefore, such that it actually appeared in type that the elections were to be held about the same time. If so, I think I am fully outborne in expressing in my resolution, that the dismissal of the Ministry at this time, of all others, is unwise; that it is a breach of the British Constitution, and has shaken Responsible Government to its very basis. And there is one thing that is worse than

all; it is throwing upon the people the decision of a great constitutional question, in an election that will not be fought on that question. The elections coming on in the Province of Quebec, will be decided on the railway question, on the tax question, on every other question than the constitutional question. It was a grave responsibility for that Lieutenant-Governor to take a responsibility which no man fully aware of the consequences of his conduct would take, a responsibility which no man who was not utterly reckless of the sanctity of the constitution and the necessity of preserving all the bulwarks of the Constitution, would have undertaken. Unless this House is firm, unless this House rises to the occasion and is true to itself and to the constitution under which we sit here, and unless it desires to sacrifice the principles of Responsible Government, and to go back to the old autocratic times, we shall establish a precedent which may be worked for the evil of this Constitution for all time. What would be said of the Earl of Dufferin, if he had said to hon. gentlemen opposite: "I am of opinion you have not the confidence of the country. I have seen that a number of casual elections have gone against you from one accident or another. I think there is a reaction in the country, that the people do not support you with the same alacrity as formerly, and I shall dismiss you and send for the Opposition." You could not suppose that the Earl of Dufferin, that a man imbued with the spirit of the British constitution, that an English statesman, or an English gentleman, could commit such an offence. Take another case. Suppose now that the elections are just coming on. Mr. Archibald, now the Governor of Nova Scotia, who formerly belonged to the same party as myself, and was recommended by me as the Lieutenant-Governor of Nova Scotia, has in that Province an Administration opposed to the policy of the Opposition here, and supporting with all their power the present Dominion Government. Suppose he took a leaf out of Mr. Letellier's book and picked a quarrel with his advisers just before the elections. Suppose he said: "I see

you have only a majority of two or three, that you have lost election after election, and I do not believe you really represent the people. I shall dismiss you and call a new Administration. I shall call a friend, personal or political, of my own, and assign to him the agreeable duty of dissolving the Legislature, and using the patronage, the power, and the influence of the Government in favour of the present Opposition, and against the present Government." How my hon. friend at the head of this Government would, in that case, rise in his place and recall the good old days when the Liberal party fought the battle of Responsible Government, and denounce the destruction of the old Tory method of dismissing a Government with a majority, which it was true, might be a limited one, but was still a majority. How this House and the country would have rung with lament over such a return to the old days of Metcalf and Toryism and tyranny. Sir, I do not believe the hon. gentleman at the head of the Government will belie his previous professions. I do not believe, until I hear and see it, that because the Lieutenant-Governor of Lower Canada happens to be his appointee, he will sacrifice his own great principles in defence of a Minister who, I believe, has committed a great constitutional wrong. Every Ministry is liable to make mistakes in appointments. Every Ministry is liable somewhat from the mistakes or errors, or the worse than errors, of their subordinates. Though they may not be, responsible for them, still they may be to a certain degree, responsible in public opinion for having made a wrong choice; but until they condone the offence, until they approve of the offence, until they say "We approve of that policy, and will support them in that policy," they are not justly amenable to attack. I have made no attack. God forbid that I should do so, for as yet I know not that the present Ministry, at the head of which is the hon. member for Lambton, is liable to the charge, liable to attack, or liable to censure for anything that has taken place. As yet I do not know this, and, therefore, I will not say it. But it depends upon that

hon. gentleman to say whether he, the head of a Liberal Government, be upon whom the mantle of Robert Baldwin and others has fallen, be the distinguished leader of the Liberal party of the country, will—but I do not believe that the hon. gentleman will—sacrifice those great principles. It may be a warm-hearted, it may be a kindly, and, perhaps, in some respects, a polite act to do so, looking at the mere temporary advantages of an election; but I do not believe that that hon. gentleman will turn his back upon those principles which he has so long professed, and which have been the chief credit, the chief honour of his party. Mr. Speaker, I move the resolution.

MR. MACKENZIE: Mr. Speaker, I have listened with the greatest possible interest to the somewhat lengthy lecture on Constitutional Government, given by the hon. gentleman. A very large proportion of what he has said I entirely agree with.

HON. MEMBERS: Hear, hear.

MR. MACKENZIE: Many of his quotations are apposite enough, and many quotations, which might be given, are entirely missed. Reference to precedents are given so far as they suit the hon. gentleman's own purpose, but when they touched upon a tender point, they were passed very gently over. The hon. gentlemen are scarcely, from his history as a public man in the country, in a position to give a lecture to Liberals as to the mode in which they are to deal with the exercise of the Royal Prerogative, or the manner in which the Royal Prerogative has been exercised in regard to themselves, Sir, the Liberal Party have had a long struggle with the hon. gentleman and his friends in order to establish the principle of Responsible Government. That principle has been established alike in the Provinces and in the Dominion, but I maintain that the Governments of the Legislatures of the respective provinces occupy precisely the same position towards the Crown that the colonies, having Lieutenant-Governors appointed immediately by the Crown, occupy, to the Imperial authorities. If we depart from that principle, we depart at once from the

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only holding ground upon which we can constitutionally anchor, if I may use that expression. Now, Sir, the hon. gentleman, by his motion to-night, has undertaken to set at defiance the principles of responsible government as applicable to the Provinces. I do not deny at all the premises that the hon. gentleman laid down as to the right of this House, to criticise the action of the Lieutenant-Governors appointed by this Government. It is quite true, as the hon. gentleman has stated, that the actions of the Governors of Colonies are criticised sharply and vigorously in the House of Commons, although I do not admit there is any analogy between the cases of Governor Eyre and the Governors of British Guiana, because responsible Government did not obtain in these Colonies; and their actions were dealt with by the House of Commons somewhat as the actions of a responsible tyrant would be, who exercised political dominion under the authority of the British Crown.

SIR JOHN A. MACDONALD: Governor Darling.

MR. MACKENZIE: Yes; Governor Darling, and several others. I quite admit, and say that this is a legitimate subject for criticism in the Imperial Parliament, and that this criticism has been exercised. No one would seek to deny this, and far less should I seek to deny it than anyone else, as I desire to maintain that principle of responsibility alike by the colonists and by the Imperial authorities; but, on the other hand, I admit that we are entitled in this House to discuss, if we please, in this manner, the actions of the Lieutenant-Governor appointed by ourselves. But I hold, at the same time, that it is only under very extreme circumstances that it is wise or politic for that criticism and that discussion to be indulged in by this Parliament. Now, what is the position at the present time in Quebec? The hon. gentleman, in his resolution, is very mild. He characterizes the action of the Lieutenant-Governor simply as unwise. Well, Sir, whether it was wise or unwise is a matter of opinion, and who is that to be decided by? Are we to constitute ourselves as a Court of Justice to sit upon Lieutenant-Governors?



SIR JOHN A. MACDONALD: Yes.

MR. MACKENZIE: The hon. gentleman says "yes." Well, I deny it, I deny utterly that assumption. We, no doubt, may exercise a judicious policy in criticising such actions, and I do not deny that cases may arise wherein it might be the duty of the authorities at Ottawa to interfere; but where it is simply the case of the removal of one Ministry and the appointment of another—

HON. MEMBERS: Hear, hear.

MR. MACKENZIE: Where a Governor has dismissed his Ministry, and, to use the hon gentleman's own expression, has forced them to a resignation, then, we have to consider the question that arises immediately succeeding that. The position in Quebec is this: that Lieut.-Governor Letellier removed the members of his Administration and appointed others in their place; that the Ministry by Mr. Joly assumed the full responsibility of the Governor's action as he was bound to do. He could not possibly accept office under the circumstances without making himself and his colleagues responsible for the action of the Governor. In his bold and manly address to the electors of the Province of Quebec—

HON. MEMBERS: Hear, hear.

MR. MACKENZIE: I am glad that hon. gentlemen opposite appreciate that boldness.

HON. MEMBERS: Hear, hear.

MR. MACKENZIE: He states explicitly that he assumes the full responsibility. Of course, his declaration was not necessary to constitute his responsibility. His responsibility began the moment when he assumed office, and the election is, at present, proceeding where the question is before the people as to whether the action of the Governor was wise or unwise. Now, suppose that this House exercised its discretion, and accorded to the hon. gentlemen opposite more wisdom than to the Governor, and should condemn the action of the Governor, and that the electors of the Province of Quebec, on the 1st of May, should say that the

Governor's act was wise, in what position, would the Federal authorities and the Federal Parliament be in condemning the course which the people of the Province themselves had sanctioned and approved?

HON. MEMBERS: Hear, hear.

MR. MACKENZIE: That is precisely the position which the unwisdom of the hon. gentlemen opposite would have us rush into, and it is one which I, for one, will not take the responsibility of incurring any danger upon. I believe it is an unwarranted use of the powers of the House to attempt, under the circumstances, to pass any vote of censure or of approval of either party. The matter is left with the responsible Administration, and nothing could be more fatal to the provincial autonomy which exists under the Confederation Act than such an unwise and unwarranted interference with its proper functions.

HON. MEMBERS: Hear, hear.

MR. MACKENZIE: Why, that was the hon. gentleman's own argument in the case of the reserved Bills from Ontario five years ago. The hon. gentleman will remember, and the House will remember, that the Lieutenant-Governor of Ontario reserved two Orange incorporation Bills for the assent of the Governor-General. It did not suit the hon. gentleman opposite either to sanction these Bills or to refuse his sanction to them; and I do not say that his action was wrong or the decision that he gave, but it was a convenient decision, at all events, under the circumstances; and, in order to ensure the popular opinion in favour of his decision, and in order to place himself right constitutionally, the hon. gentleman entered into a long argument to show what the real position of the local authorities was relative to the federal authorities. The paper was a good one, and I shall take the liberty of reading some extracts from it.

SIR JOHN A. MACDONALD: There is no doubt that it was a good paper.

MR. MACKENZIE: It was a very good paper, and entirely subversive of the hon. gentleman's argument to-day. I will read, as follows:

"The only object of these Associations appearing on the face of the Acts is the holding of property, real and personal; that this being a Provincial object, the Acts are within the competence and jurisdiction of the Provincial Legislature. Such being the case, in the opinion of the undersigned the Lieutenant-Governor of Ontario ought not to have reserved these Acts for Your Excellency's assent, but should have given his assent to them as Lieutenant-Governor. Under the system of Government that obtains in England as well as in the Dominion and its several Provinces, it is the duty of the advisers of the Executive to recommend every measure that has passed the Legislature for the Executive assent. The provision in the British North America Act of 1867, that Your Excellency may reserve a Bill for the signification of Her Majesty's pleasure, was solely made with the view to the protection of Imperial interests and the maintenance of Imperial policy, and in case Your Excellency should exercise the power of reservation conferred upon you, you would do so in your capacity as an Imperial officer, and under the Royal instructions. It then rests with the Governor-General or the Lieutenant-Governor, as the case may be, to consider whether the Act conflicts with his instructions or his duty as an Imperial or a Dominion officer, and if it does so conflict he is bound to reserve, whatever the advice tendered him may be; but if not he will doubtless feel it his duty to give his assent in accordance with advice to that effect, which it was the duty of his Ministers to give. Under these circumstances, the undersigned recommends that the Lieutenant-Governor be informed that Your Excellency does not propose to signify your pleasure with respect to these reserved Acts, or to take any action whatever. The Legislature of Ontario will, at its next Session, which must meet before the expiration of the year within which, by the constitution, Your Excellency has the power to signify your pleasure, have the power, if it pleases, of considering these measures and re-enacting or rejecting them at its discretion. If the Acts should again be passed the Lieut.-Governor should consider himself bound to deal with them at once, and not ask Your Excellency to intervene in matters of Provincial concern, and solely and entirely within the jurisdiction and competence of the Legislature of the Province."

Now, Sir, the hon. gentleman, on this occasion, caught the Lieutenant-Governor endeavoring to make an appeal to sanction certain Acts to the Governor-General of the Dominion. The hon. gentleman opposite acted upon his interpretation of the constitution which I am bound to say, I think, was right. He refers then to their own powers and points out that this is entirely within their own competence and

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jurisdiction. But to-day, he comes to this House, and asks this House to declare, by a hostile vote, that the Governor of the Province of Quebec has not acted within his competence and jurisdiction. He enters upon a long argument to show that a measure or a Government act might be lawful and yet be unconstitutional. The whole of the original part of the hon. gentleman's speech was directed to this, and his quotations from Freeman, I think, and others, were to show that a certain policy might be perfectly legal, that it might be lawful, but that under the well known principles of the British constitution, it should be considered as an unconstitutional act. In other words, that an unconstitutional act was not necessarily an illegal or improper act, while a certain act might be both legal and unconstitutional. Now, the hon. gentleman did not venture to characterize the action of the Lieutenant-Governor of Quebec as unconstitutional. He did not venture—until in his last words he spoke of its being an outrage on the Constitution—he did not venture to say, or to affirm, or make any attempt to prove, that Governor Letellier had acted beyond his powers and competent jurisdiction.

SIR JOHN A. MACDONALD: My whole speech was to that effect.

MR. MACKENZIE: Well, I can only say that I am very glad to have that interpretation of the speech. I supposed that the speech was intended to show what the hon. gentleman's resolution says, that the action was not unconstitutional, but was unwise, in his opinion.

SIR JOHN A. MACDONALD: Unwise and subversive of the great constitutional principle of responsible Government.

MR. MACKENZIE: It does not say so. It says "subversive of the position of his advisers." It is a very cunningly drawn resolution, no doubt. It is a resolution, like most of the resolutions the hon. gentleman draws up, capable of being interpreted two or three ways. I shall not go into a long argument to prove whether Governor Letellier was right or wrong, since I

think it is a question that we have no right to entertain. I think it would be an outrage on the constitutional system of government to try to do so. We have only to await the natural result of the working of the constitutional system which is in full operation at the present moment in Quebec. If the people sustain the Administration which has assumed the responsibility of this act, it is not within the power of this House to condemn or set aside the Constitution those people sustain. If, on the other hand, that Ministry which has assumed the responsibility of the act of the Lieutenant-Governor in dismissing his Ministers should not be able to sustain itself, then we would have entered upon another phase of the constitution question, coming up in regular order, and subject to the natural laws which flow from our written constitution and responsible system of government; and upon that ground I argue that we ought not to pass any vote of censure upon the Lieutenant-Governor or upon his advisers. You could not in this House pass a vote of censure on Governor Letellier's action without censuring the Ministry at present in power in the Province of Quebec. The one involves the other as certainly as cause and effect are connected.

SIR JOHN A. MACDONALD: Hear, hear.

Mr. MACKENZIE: The hon. gentleman says "hear, hear." I should like to hear him controvert that statement.

SIR JOHN A. MACDONALD: When Governor Darling was censured or recalled there was no censure upon the Government of New South Wales, whose policy was afterwards carried out.

Mr. MACKENZIE: The hon. gentleman has not stated the ground of Sir Charles Darling's dismissal. He was dismissed because he sanctioned, and not only sanctioned acts of his advisers which were legally unjustifiable, but he also placed himself in a position of personal antagonism towards almost all those whose antecedents pointed them out as the most likely material to be available to him in a change of Administration.

SIR JOHN A. MACDONALD: He was recalled and sustained.

Mr. MACKENZIE: The Government was sustained, and Governor Letellier may be sustained in Quebec for anything the hon. gentleman knows. I observe my hon. friend for Hochelaga (Mr. Desjardins) dissents, and I have the greatest possible respect for the wisdom concealed in that head; but I did not at all affirm whether he will or will not be sustained. The hon. gentleman, perhaps, knows more about it than I do. I profess to know nothing. My ground is this: that I propose not to interfere; that I have not interfered; that nothing shall be done by the Government of the Dominion which would in any way place us in the position of having taken part in a political controversy which affected the Province and the Province alone. The hon. gentleman, on the other hand, wishes us to place ourselves in that position. The hon. member for Kingston supposed a case a few minutes before he sat down. The hon. gentleman says: Suppose the Governor-General should say to the present Administration that they had lost particular elections, that in his opinion they had more or less lost the confidence of the country, and, therefore, he felt it necessary to dismiss them, and he asked me what I would have thought of that. Well, Sir, whatever I would have thought of that I recall to mind that his own newspaper, the *Mail*, advocated this very proposition that the Governor-General should dissolve the House.

SIR JOHN A. MACDONALD: I think the hon. gentleman is wrong. I am sure he is wrong. The *Mail* never advised that the hon. gentleman should be turned out and that a dissolution should take place. The *Mail* advised that the hon. gentleman should himself dissolve.

Mr. MACKENZIE: I observe that the hon. gentleman has an intimate knowledge of the character of the article in that paper, and, of course, if he controls that paper, he ought to know.

SIR JOHN A. MACDONALD: The hon. gentleman says he does not con-

trol; the *Globe*. I take it that he does not, and I say I do not control the *Mail*.

MR. MACKENZIE: All I can say is that it is very much to the hon. gentleman's credit that he does not control the *Mail*. It is to be sure a matter of very little consequence in a discussion of this question what the right hon. gentleman's opinion may be of facts in regard to which the conduct of the Government is called in question, or what my opinion or that of any other member may be. But, as the hon. gentleman has chosen to discuss that particular question with reference to certain Governors once in Canada, I may, for a moment, stop to correct his remembrance of what took place under Sir Edmund Bond Head in 1856. The right hon. gentleman says that when Mr. Brown was called on to form an Administration he was told of the conditions on which he should form his Government, and that unless he acceded to these conditions he had no right to form a Government. I can only say, Sir, that there was no condition except the one which the right hon. gentlemen has mentioned, that the Governor-General would not pledge himself to a dissolution. This was the one given. I think, by the Minister at the time of the Ministerial explanations. I think it was a gross outrage, to use his own words, on constitutional authority that a Governor-General should have told the man whom he had called to form a Government that he would not be advised on a certain matter, except by those who were not in a position to give advice. Mr. Brown, very properly, told the Governor-General that if he was authorized to form a Government, he would endeavour to accomplish the task, and if he should succeed in accomplishing it he should deem it his duty to tender his advice on the question of dissolution, and that, if he did so, he should expect that advice to be acceded to. The right hon. gentleman makes out that Sir Edward Bond Head occupied the position of a political partizan, and, if he were alive and in this House, I should say of a political conspirator. There is nothing more base in the history of this country than the action of

Sir Edward Head on that occasion. Yet, Sir, that action found a ready apologist in the right hon. member for Kingston. But, as my hon. friend from Chateauguay (Mr. Holton) says, the right hon. gentleman took all the responsibility on that occasion, and thought that ex-Ministers were in a position to give advice when Ministers were not.

SIR JOHN A. MACDONALD: That is an assumption.

MR. MACKENZIE: I admit it is an assumption. It is one I have always believed, and is one I will always continue to believe.

SIR JOHN A. MACDONALD: It was denied by the Governor-General at the time and those who had been advising him.

MR. MACKENZIE: I accept the right hon. gentleman's statement.

SIR JOHN A. MACDONALD: It has been stated in the old Parliament of Canada that it was "as false as hell," and it was as false as hell.

MR. MACKENZIE: I can only say that I continue to believe that there was communication of an improper and irresponsible character between some of the ex-Ministers and the Governor-General. I have no doubt of it, and anything more outrageous than that proceeding can scarcely be conceived. If the matter had been left in the hands of the people, as it has been done in Quebec, it would have assumed a different aspect altogether. The right hon. gentleman says they had just come from the people. How long had they come from the people? The elections were held in December, 1857, and these transactions took place in August.

SIR JOHN A. MACDONALD: The first Session afterwards.

MR. MACKENZIE: Very well. The right hon. gentleman says they had just come from the people. Does he know that an appeal was granted to an English Ministry three months from the general elections? Does he mean to say that there must be no dissolution because one had to take place within the year? This was the right hon. gentleman's excuse

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for the gross perversion of the Royal authority by the Governor-General, and he stands here to-day as its apologist and defender while he assails a matter which is now fairly and constitutionally placed before the people of Quebec. Now, as I said, I do not propose to discuss the question as to whether Governor Letellier was strictly within the line of duty or not—for the reason I stated. I may observe, in passing, that very extraordinary things were being consummated in the Province of Quebec; I may observe that I could point out that extraordinary acts were in progress.

**MR. MASSON:** That was their business.

**MR. MACKENZIE:** Sir, it is true it was. It is true our Constitution consists of three distinct branches; that one of them, perhaps two of them, were intervening directly between judicial and legislative authority; that they were interposing legislative where judicial authority was the proper method—they were endeavouring to shut the doors of the Courts against those who were appealing against a course of justice. I do not forget, Sir, that one of the most distinguished men who has ever lived in Canada—and though it was my misfortune for many years to differ from many administrative acts of his, still it was my glory to belong to the school of which that gentleman was a bright example and a bright representative—I allude to Sir Francis Hincks, has completely defended the position of the Lieutenant-Governor of Quebec, and he is an authority which no gentlemen on the opposite side can venture to despise. I recollect well, a few years ago, when they got him into the seat where we now sit, they thought they secured a prize—and they did. They secured his abilities to prop up a falling Administration. And, Sir, for years afterwards that distinguished statesman was held up as a model of all that was bright and able—as our ablest financier. Sir Francis Hincks has given his opinion in favour of the course pursued by the Lieutenant-Governor of Quebec, and he is decried and abused by the Tory newspapers be-

cause of his course in that matter. I merely refer to his opinion to show that the best authorities on constitutional government may fairly differ about the propriety or the wisdom—to use the right hon. gentleman's own words—of the course pursued by the Lieutenant-Governor of Quebec. Why did not the hon. gentleman venture on a stronger expression than he had chosen to employ in this resolution? It was because he knew, with his extensive legal ability and his constitutional knowledge, that he could not do so. I never believed that he would venture on an absolute condemnation in a constitutional sense of the course pursued by the Lieutenant-Governor of Quebec. It was in fact, a fatal slip against Constitutional Government that he chose to couch his resolution in the mild terms in which he did couch it. Yet he now expects, because his language is mild, and his phrases almost indifferent, that we should pass a vote of censure upon Governor Letellier within a few days of the time when the electors of Quebec should pronounce upon the wisdom of the unwisdom of the Ministerial events which have transpired lately in that Province. Sir, I say that a more indecent, and, politically speaking, a more unwise step was never proposed to be taken by the head of a political party in this country. I join with him and others in this Parliament, or out of it, in maintaining our free institutions, in maintaining the responsibility of Ministers to the Crown and their responsibility to the people, and in taking steps in the direction of that end where there is a dispute as to the course to be pursued; but the justification of the course that has to be pursued, and has been pursued, in that matter is, that it has to be referred to the ultimate tribunal, the great national inquest, which can only give the verdict at the polls. But until other causes are shown for interference than have been shown to-night in the hon. gentleman's very long and very able address on constitutional government and its principles, and a narrative of what took place under the reign of English monarchs who were more or less despots in their character to show the necessity of leading to another conclusion in reference to the present

dispute, I say, notwithstanding all these arguments, the question simply is this: Shall we interfere with Constitutional questions which are in the process of being settled? For the reasons I have given, I object to that interference, and shall resist that interference; and I ask every one who loves responsible Government to vote down the hon. gentleman's resolution as being contrary to the very principles on which responsible government is based, as injurious in its results, and reflecting on the character of the people to whom it is to apply.

MR. MASSON said he thought the hon. gentleman could not make a stronger speech to prove the Hon. Mr. Letellier acted against responsible government than the one he had just given. They had a right to insist that the hon. gentleman should take the matter up, they had a right to insist on his doing what would have been his duty; but he had distinctly stated that he would not even consider the question, or give his opinion upon it at the present moment. The hon. gentleman said they had no right to enquire whether Mr. Letellier acted rightly or wrongly. Had the hon. the Premier forgotten that the Union Act imposed upon him the obligation of seeing whether the gentleman whom he had appointed, acted wrongly or rightly? The Act was in these terms:—

“A Lieutenant-Governor shall hold office during the pleasure of the Governor-General; but any Lieutenant-Governor appointed after the commencement of the first Session of the Parliament of Canada, shall not be removable within five years of his appointment, except for cause assigned, which shall be communicated to him within one month after the order for his removal is made, and shall be communicated by message to the Senate and to the House of Commons within one week thereafter, if the Parliament is then sitting, and if not then, within one week after the commencement of the next Session of Parliament.”

Was the meaning of this clause that the Government was not responsible for the Act of the Lieutenant-Governor? Were they not to judge whether he had acted wisely or unwisely? The hon. gentleman, who well knew the duty imposed upon him by this Act, would nevertheless venture to

interfere, as he had done, with the rights of the people to legislate for themselves if they wished. This was not the proper place to judge whether the people of Quebec were right or wrong, whether the majority of the people of Quebec, by their representatives, acted wisely or unwisely; but it was the proper place to enquire whether the Lieutenant-Governor had acted constitutionally or otherwise. The hon. Premier had been willing to judge of that of which he had no right to judge, but was unwilling to judge of that which his duty called upon him to judge. A great question had been raised in Quebec, and the whole of their system of Government depended upon it. There was a great man in France, a man who had his defects, his faults and his failings, but was considered a great man; he referred to M. Thiers, and he would cite his words upon this question. At a sitting of the National Assembly, after the capitulation of Paris, M. Thiers said:

“If I had the power, which no mortal possesses, I would have given to my country that which, in the measure of my ability, I have for forty years toiled to give it—the constitutional monarchy of England. Yes, gentlemen, I believe those men are free, nobly free, at Washington; that great things are there achieved; but I also believe that men are equally free in London; and, may I be allowed to say so, more free than those at Washington. The reason of this is, that in London, Government is placed in a region equally distant from the passions from above and the passions from below. Never, in any country, nor at any time, has Government been placed in a region where calm reason is more likely to predominate, and is less troubled. But, gentlemen, I have always held that princes who govern must accept the conditions of this form of Government. If they wish to attract to themselves the Government, they must also attract a responsibility which, in these stormy times, soon becomes the ruin of the throne. \* \* \* Princes must bring themselves to the idea that monarchy is often all but a Republic, a Republic with an hereditary President.”

Those were the ideas of a great French statesman; and, as his hon. friend had said, those ideas should be practiced by the monarchy which ruled at the present moment. The hon. gentleman had said that it was none of his business to interfere with what occurred at the Local Legislature, and that it would be interfering with the rights of

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the people. If there was a danger of allowing the Government to interfere with the free will of the people, that danger existed more in Canada than anywhere, and in Quebec more than in any other Province. If the will of the people of the Province of Quebec were to be put aside by the Lieutenant-Governor of that Province, their condition was weak; if every aspiration of the people could be foiled by the act of a man who was appointed by the Government at Ottawa, the Federal Government might interfere through an act of their political appointee, and stop the legislation at a time when it was most dangerous for the liberties of the people, and for the maintenance of Responsible Government in this country. He who ruled over men must be above the smallest taint or suspicion of partiality. If there was a Sovereign who had given them an example of this, it was Her Majesty Queen Victoria. It was well known that in the first years of her reign she had a preference for the Whigs that was so strong that even Lord Marlborough said the time had come when she should tender her branch of olive to the Tory party of England. If impartiality was required in England, it was more required here, because our position was entirely different. The Imperial Governors that were sent to this country were not subject to the aspirations of party and the influence of political bias, which could affect Governors coming from this country. The latter were subject for their future promotion or future advantage to the Act of the Federal Government which appointed them. The system had been adopted by the Dominion Parliament of appointing Governors from their own ranks, and it might be a bad system, for the men appointed might have been assiduous in their efforts to destroy the party over whom they were called upon to rule. The hon. the Premier said this was a very small question, that it was only a question of removing a Ministry. Very small question indeed. He would take a point of comparison having some bearing upon the conduct of the hon. gentleman. He would not go back and read what were the opinions of the

great statesmen of England, but would read something more immediately bearing upon the question as it was almost of actual occurrence. It would be remembered that in France, last year, there were occurrences which called upon Marshal MacMahon to dismiss the Ministry, and the cry that was raised all over the Dominion with regard to that, showed that it was considered as an attack upon the Constitution of the French people. He would show what was the opinion of the Liberal Press of England, relating to the *coup d'état* and its analogy to the present case. The *Daily News*, in an article, answered the point which had been raised in the Province of Quebec by the friends of the party opposite—that the act being legal, they had nothing to say against it, that being in accordance with the letter of the Statute, they had no fault to find with the Lieutenant-Governor, who had acted according to this rule. This was what the organ of the Liberal party of England, the party of his hon. friend the Minister of Inland Revenue, who said that his models were not to be found in this country, but in England:

“It may be argued that Marshal MacMahon has acted thus far within the strict limit of his legal and constitutional rights. But a constitutional ruler who tries the very extreme of his constitutional rights when a much less strenuous assertion of authority was all that the occasion called for, is already dangerously near the verge of the unconstitutional and even of the despotic. The Sovereign of England has various constitutional rights, carefully secured by theory, and even sanctioned by many precedents, the unexpected exercise of which rights in our day would throw the whole country into bewilderment. Whatever the privileges and powers which the constitution of the French Republic may have assigned to the individual action of the President, it is certain that their exercise would have to be justified in every single case by the urgency of sufficient national necessity calling for their application. No such necessity could possibly be pleaded in the present instance. The Ministry were in full accord with the opinions of the majority of the representative chamber, and of the country outside. If Mr. Jules Simon had in any way failed to perform what the President may have considered his ministerial duty or official engagement, that fact could not furnish the slightest excuse for the sudden imposition of an Orleanist and Bonapartist combination on the country.

There is no getting over the plain fact that the whole of Europe regards Marshal Macmahon's proceedings as something very like a *coup d'état*. The appearance of a difference, says Mr. Mill, is a difference. In times of excitement and high political tension, the appearance of arbitrary action is to all intents and purposes arbitrary action."

This was sound doctrine and exactly tallied with the doctrine his right hon. friend from Kingston (Sir John A. Macdonald) had propounded. It was his duty to take his officers from among the majority of the House and not from among the minority. The hon. Minister of Inland Revenue shook his head; perhaps he wished to come a little nearer home and hear the opinions of people in Quebec. He would give the opinion of an influential Canadian writer upon MacMahon's *coup d'état*, Hon. Senator Penny, Editor of the *Montreal Herald*. In the *Herald* of 16th August, 1877, appears the following:—

"In the first instance there was some pretence on the part of Marshal MacMahon and the Duke of Broglie, that, while acting in opposition to the spirit, they would keep within the letter of the constitution. They would, in fact, according to the representations they made, cover their attack upon the late chamber by appealing to the people, and asking their assent to be declared through the voice of newly and freely elected representatives. As we have pointed out on former occasions, though this would be an extreme, and, in the best sense, unconstitutional exercise of the prerogative of chief magistrate, as it is understood in the British Empire, it would still conform to the main requirements of our unwritten law. It is indeed hard, under the British system, to conceive of any political measure, however improper in itself, which, taken in the name of the Sovereign, may not be legitimized by the subsequent sanction of the election fairly invoked and freely given. Only, though for many generations, there have been no impeachments for evil acts of the kind, nor, indeed, in England itself are there such acts, there are historical examples of very severe punishment, capital punishment, for men who adventured on arbitrary courses and failed to obtain popular condonation. It would be quite in order of British precedents to inflict such punishment on the advisers of the President, if having wantonly interfered with the regular course of constitutional proceedings, they found their attempt defeated."

That was exactly what was effected after Napoleon's *coup d'état* of 1851. The hon. the Minister of Inland Revenue would not say that *coup d'état* was

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legal; nevertheless, it was approved by the votes of the people, and the approval of the people, according to the *Herald*, legalized the Act of the President. What did the *Herald* say on that point?

"Though for many generations there have been no impeachments for civil acts of this kind, nor, indeed, in England itself, any such acts, there are historical examples of very severe punishment, and of capital punishment, having been inflicted on men who adventuring on arbitrary courses, failed to obtain popular condonation. It would be quite in the order of English precedent to inflict such punishment on the advisers of the President, if, having wantonly interfered with the regular course of constitutional proceeding, they found their attempt defeated."

He thought that was rather hard upon Mr. Letellier and Mr. Joly. He was sure that the hon. gentleman did not want such severe punishment to be inflicted upon them under present circumstances. Why should they suffer that punishment if the act was constitutional? It was because an Act might be strictly constitutional, according to the letter of the law, and, nevertheless, be, to all intents and purposes unconstitutional, and bring upon the man who had acted unconstitutionally the highest penalties the law could inflict. He would cite from *Le National*, which now defended the *coup d'état* Letellier, an extract from an article of the 24th September, 1872:

"The recent act of MacMahon overthrows all parliamentary notions. Formerly men used to say (*le roi regne et ne gouverne pas*) "The King reigns but governs not," and today the President reigns and governs as he pleases without taking any heed of the nation than if it did not exist. Does Marshal MacMahon know where the path he has entered is leading him? Is he taken up with that spirit of error and folly, the forerunner of the fall of kings, and is he disposed to make a *coup d'état*? He seems to forget that he is responsible to the nation for high treason, and if he is ever accused of the crime of *lese-nation*, treason to the nation, he may not find in his judges the clemency which he himself has shown to the traitor of Metz."

What had MacMahon done to deserve such strong language and grave accusations from the Liberal press and the Liberals throughout the whole Dominion? He had done



less than Letellier had done in the present circumstances; he did not dismiss his Ministers, they resigned, and after the appointment of a new Ministry he appealed to the country. He (Mr. Masson) would explain the difference between President MacMahon's act, which had been so severely blamed by hon. gentlemen opposite, and Lieut.-Governor Letellier's act of which they approved. In France, then, as at present, Responsible Government did not exist as it did here and in England. If his hon. friend opposite would refer to the October files of the *Globe* of 1875, he would find that organ stating that "The ideas of Responsible Government cannot exist in France because French Republicans do not consider the form of Government which prevails in England as the proper form of Government. They are more intent on looking to Washington and on adopting the system of irresponsible Government, as it exists in the United States or in France." He had passed some time among the French people himself, and knew their feelings. The hon. the Minister of Inland Revenue knew quite well that in France the idea or principle which predominated, was the one-man principle; the French people were naturally inclined to be carried away by the high achievements of a single man, to group around and to defend him, and to personify power in one and the same man. This was the reason why contests there, instead of being constitutional, and against a particular Ministry, were dynastic—one dynasty against another dynasty—consequently Responsible Government could not exist in France as in this country, because public men were not equally devoted to the Sovereign. There was another distinction to be made between MacMahon and Letellier, entirely in favour of the former, who had been so severely treated by hon. gentlemen opposite. MacMahon had the support of the Senate, which was an entirely independent body and co-equal to a representative House, and without which he could not have acted. The Constitution was more an unwritten one than ours, and by that Constitution MacMahon had the right, with the consent of the Senate, to dissolve the

House. He did not do as Lieutenant-Governor Letellier did, dismiss the Ministry and appeal to the people on his own individual account, but he did it in accordance with the power given him by the Constitution of France, to himself, with the consent of the Senate, to dissolve Parliament. Another difference which existed between MacMahon and Letellier was the different character of the questions which agitated France and Canada. In France MacMahon, who every body holds to be an honest man, believed, rightly or wrongly, that society was in danger; that the liberty of a section of the people was in danger—the Bishops of France, for instance, could not publish a *mandement* without the authority of the civil authority, and greater restrictions were demanded by certain parties—and that he was supported by the people, who would not submit to that temporary majority which wanted to impose their will on the minority, and, in their opinion, lowered France in foreign estimation. But not only were the questions widely different from those in Canada, but the opponents were different. In France, the opponents of the Conservatives were the most rabid Rouges, so much so that the Liberal party in Canada, in order to retain a hold on the people, were obliged to disavow them, to say they had nothing in common with them, though on one occasion the hon. member for Quebec East had said he admired Gambetta as a great patriot. Those were the men against whom MacMahon had to contend. Under the circumstances which then existed in France, it would, he contended, be a question to decide whether even a constitutional monarch would not have had a right to dismiss his advisers and appeal to the country. He was a Conservative, and maintained the prerogative might sometimes become the safeguard of the liberties of the people against a corrupt and overbearing majority, and he held that circumstances might occur which would justify the Crown in taking an arbitrary view of a question and trust to the people for approval. He would now come to what touched the question, more particularly in the comparison of the much-attacked *coup d'état* MacMahon and

Hon. Mr. Letellier. What were the motives of MacMahon in dismissing his members? Did he dismiss them because they had slighted his authority, or had not consulted him, and after having dismissed them, did he give them the certificate which Mr. Letellier gave to Mr. DeBoucherville, that the latter had not intended to infringe on the prerogatives of the Crown? The position in France was the opposite to that in Quebec. He would read the letter of MacMahon blaming his Ministry, and hon. gentlemen would see whether the cases were not altogether different.

**MR. MILLS:** This is a defence of MacMahon.

**MR. MASSON** said the hon. gentleman ought to have legal acumen enough to see that if he could prove that the position of MacMahon, whom the Liberals condemned, was a more favourable one than that of Mr. Letellier, whom they now attempted to condemn, that he had established his proposition that, to be consistent, the Liberals were at least bound to condemn Mr. Letellier as well. The following was the text of MacMahon's letter, from the *Journal Officiel* of 17th May, 1877:

*"Monsieur le President et Conseil :*

"I have just been reading in the *Official Journal* the report of yesterday's sitting. I have seen with surprise that neither yourself nor *M. le Garde des Sceaux* has been the exponent of the grave reasons which might have prevented the abrogation of a law on the Press which had been voted only two years ago on Mr. Dufour's own proposition, and the application of which you were yourself demanding from the tribunals only very recently; and, nevertheless, in several of the deliberations of council, and even especially in that of yesterday morning, it had been decided that the President of the Council, as also *M. le Garde des Sceaux*, would perform the duty of defending it. It was also already a subject of astonishment that the House of Representatives could, in its last sitting, have discussed a whole municipal law, adopted even some dispositions, the danger of which you have yourself, in council, admitted, such as the publication of municipal councils, without the Minister of the Interior having taken any part in the discussion. This attitude of the head of the Cabinet entitles one to ask whether he has preserved over the House the influence necessary for the adoption of his views. An explanation on this subject is indispensable, for if I am

not responsible as you are to Parliament, I have a responsibility towards France which to-day, more than ever, must engage my attention."

Hon. gentleman would admit there was a difference in the accusations which MacMahon had a right to make against his Ministry, and he charges his Ministers with having refused to act as agreed at the Council Board only the day before, and the flimsy pretences on which Letellier turned out his Ministers was, that he was not generally consulted, yet he was always absent or ill; and his Ministers had to conduct affairs while he was at his country seat, several leagues away from the seat of Government. It was too late in the day for him to make that accusation against DeBoucherville. He had stated that DeBoucherville had no intention of acting improperly towards him, and the best proof of the confidence which he reposed in Mr. DeBoucherville was the simple fact, that when Mr. DeBoucherville wanted to introduce his money resolution into the House, Mr. Letellier, instead of coming back from his country seat, sent to Mr. DeBoucherville a blank paper, telling him to fill it up as he chose, which he would not have done had he not placed implicit confidence in him. If this were not a proof of implicit confidence, then it was a snare intended to entrap DeBoucherville and ruin him later. It was said that De Boucherville had not consulted Letellier before bringing in his railway policy. The right hon. member for Kingston had proved that that was not absolutely necessary. What, however, could be thought of a Lieutenant-Governor, who could not help knowing that the resolutions had been introduced to the House, and had been voted for by a large majority of the House; of a Lieut.-Governor to whom the Votes and Proceedings of the Legislature had been delivered daily, yet who came down at the last hour and said he was not cognizant of the legislation going on. But this was not all. Mr. Letellier must have known the nature of these resolutions, since, in the conversation of the 19th February, Mr. DeBoucherville spoke to him about them; and why did he not then tell his Minister that he could not allow

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the Bill to go on any further, if he wished to interfere? If Mr. Letellier had then told Mr. DeBoucherville that the measure could not go on further, it would have been time to stop it, and to avoid the disagreeable necessity of dealing in this manner with a Bill which had been passed through the two Houses of the Legislature. But no; he knew the resolutions had been introduced, he knew the policy of the Government, and, instead of then telling Mr. DeBoucherville that he could not sanction it, he allowed it to be pushed through, and then when the position was irretrievable, he told Mr. DeBoucherville that he disapproved of his whole policy and turned the Ministry out. Could any one, on reading the whole document of Mr. Letellier, claim that it was an impartial statement? Was it not, rather, the statement of a political partizan? He went into the Province of Quebec as the Governor of the Province, with the intention of controlling the legislation. In the letter he had written he intimated he went there not as a constitutional Governor determined to take the advice of his constitutional advisers, but went there with the determination of having his views prevail. He would take, however, a moderate way of doing it.

MR. DEVLIN: I would like to know where the hon. gentleman finds it printed or published that the Lieut.-Governor stated he did not enter upon the duties of his office as a constitutional Governor.

MR. MASSON said what he had before stated was taken from Mr. Letellier's document, in which he said he had become convinced that legislative and administrative changes were becoming more and more necessary, but that they would have to be effected with moderation and the greatest possible discretion, in order to obtain the realization of what he deemed to be of the greatest advantage to the Province of Quebec. That was to say that he went to the Province of Quebec with the intention of imposing his views upon his advisers, upon the Legislature, upon the people of the Province of Quebec; but he was not clever enough to draw up his document so moderately

that it was not easy to define what his intention was. We knew that before Mr. Letellier entered upon the Government of the Province of Quebec he was a bitter partizan. The answer given him by Mr. DeBoucherville was a most triumphant one. He said: "I am your adviser; you are not my adviser; it is for the people to advise, not for the Crown to advise the people. It is for the constitutional advisers of the Crown to give their opinion and the Crown to follow that opinion." The best proof that the document to which he (Mr. Masson) had referred was written in a partizan spirit, would be found in an expression which he would quote, and he would leave it to every hon. gentlemen in the House to say whether that was a document which should have emanated from a Lieut.-Governor. Instead of discussing matters impartially as he should have done, he repeatedly in his document made those accusations which the Liberal Press of the Province had since repeated. The Conservatives of the Province were accused of having incurred enormous expense by granting enormous subsidies to several railways, and exception was taken to their having increased the salaries of the Civil Service at a time which seemed to him inopportune, as they were negotiating with the Bank of Montreal a loan of half a million, with power to increase that loan to \$1,000,000, at an interest of 7 per cent. The loan made by the Provincial Government was only a temporary one, in order to meet a necessary expenditure, and the taxation imposed on the people was less than that which the Minister of Finance said he would be willing to impose in this Parliament if he had the power. Now, if the reasons adduced were those for which he had dismissed his Ministers, what would be the position of this Government if the same course was pursued towards them? One of the reasons adduced by the Lieutenant-Governor for dismissing his Ministers was the passing or putting into execution of the Civil Service Act passed by the Province of Quebec. That Act had received the approval of the Crown and the country; and why should the Lieutenant-Governor complain that the people had given, of their

own accord, too much money to remunerate their own servants? What would hon. gentleman opposite think if, because they, in 1875, had attempted to increase the salaries of all the Civil Service employes in the Dominion by \$100 to \$200 each, the Governor-General had stepped in and said, "You do not deserve my confidence." What would the hon. the Minister of Public Works have said? Would he not have answered, that the people had the sole right of granting money, and that it would be a most absurd position in a constitutional country to see the Crown complaining that the people wished to be too liberal. Many of the charges made by the Lieutenant Governor as set forth in his documents were most puorile. The *Montreal Herald* even was obliged to admit that many of these accusations were not so strong as others, which was for that purpose going a great way towards saying that they were worthless entirely. Mr. Letellier would find it difficult to make people believe that Mr. De Boucherville had been so recreant to his duty towards the Crown as to have made use of his power, or convened Parliament for the despatch of business without consulting the Crown, and against the will of Mr. Letellier. Mr. DeBoucherville, the Lieut.-Governor, had called Parliament without his consent, or that a proclamation, summoning the Legislature, was published without his being consulted or informed of it. Under existing circumstances, however, there were good grounds for looking on the memorandum, sent by the Lieut.-Governor, with distrust. The proclamation referred to was probably the usual formal one, which was regularly published from time to time, and if Mr. Letellier wished to act fairly towards the Governor-General, to whom he complained, and the people of this country, he should have told the truth, and nothing but the truth. Mr. Letellier complained that another proclamation was also published, under similar circumstances without his assent. Now, the fact turned out to be this: that Mr. Letellier knew everything about the affair, and that Mr. DeBoucherville knew nothing. The more important accusation against Mr. DeBoucherville

was evidently made for the purpose of ruining him in the estimation of the country. Mr. Letellier tried to make the people believe that Mr. DeBoucherville had not a majority in the Legislature of Quebec, but was controlled by "rings"—by men whose only object was gain. The whole country knew that that was not correct; the whole country knew that the policy of the DeBoucherville was a broad general one, as far as railways were concerned, for the benefit of the whole Province of Quebec. That policy was inaugurated with the view of giving as much as possible to residents in all sections of the country, railway communication. No doubt, members were desirous to obtain railway communication to their particular localities; but when it was proposed to give up the contract for the North Shore Railway, Mr. DeBoucherville stepped in and said: "This enterprise must not be allowed to drop; we must have this railway for the north of the St. Lawrence; it will, in future, be a link between the Pacific and the Intercolonial railways, and be a boon, not specially to the Province of Quebec, but to the whole Dominion." Mr. DeBoucherville saw this, and the Government being about to enter into that railway policy was not able to do it, and, at the same time, carry out, with equal vigour, what was legitimately asked for by the representatives of every part of the Province. There might have been pressure put upon Mr. De Boucherville to adopt this policy, but it was a legitimate pressure. But there was one particular fact which must not be forgotten: those representatives who brought the pressure were friends of hon. gentlemen opposite, and not content with the character of the policy of Mr. DeBoucherville they moved resolutions that the policy should be extended to other railways on the south shore, in which they were interested. And, yet, hon. gentlemen told them it was ruinous to spend more money on the south shore railways, and that the country was involved in distress owing to the scheme for the North Shore Railway. The great difficulty Mr. De Boucherville experienced was in resisting the pres-

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sure of the hon. Premier's friends. But Mr. DeBoucherville refused to yield to that proposition, and compromised the existence of his Government rather than do so. It was said in Quebec that the whole policy of the North Shore would be compromised if the Government allowed a p<sup>o</sup>l<sup>e</sup>icy of such magnitude to interfere with it; but the hon. gentleman's friends said that they would ruin Mr. DeBoucherville and his Government if he did not yield, although the representatives of the South Shore district were opposed to it, because they understood that everything could not be done in one day. After this, the friends of the hon. Premier declared to Mr. Letellier that Mr. DeBoucherville was controlled by "rings," the very fact that he resisted power, to the contrary; and the hon. gentleman could not show that those rings, if they existed, ever received assent from Mr. DeBoucherville; yet, this was the way he was treated by the Lieutenant-Governor and the Liberals of Lower Canada. When Mr. Letellier brought before the Legislature all the grievances, and asked Mr. DeBoucherville to answer them, he had no right to bring forward another set of accusations which Mr. DeBoucherville would have no opportunity of answering. He (Mr. Masson) asked whether this Government, having taken a certain responsibility, were not to blame in not advising the Governor-General to call upon Mr. DeBoucherville to answer the accusations against him. He held that it was the duty of the Government to do this in time for Mr. DeBoucherville to make his reply.

**MR. DEVLIN:** Better late than never.

**MR. MASSON** said the hon. member said "better late than never;" that implied they were to blame. In what position was Mr. Letellier to-day with the people of the Province of Quebec? He would not discuss the overwhelming majority there must be on the date of the late Government, but let them suppose parties were evenly divided, what position was the Lieutenant-Governor in to-day? He had, by his action, prejudiced against himself one half of the people of the Province of

Quebec, the present Government and even His Excellency the Governor-General. He had proved himself unworthy the support or countenance of all parties. There was no man so well received upon his appointment as Mr. Letellier, notwithstanding everyone knew that he was a bitter partisan, and had been called an intriguer, because they believed he would act impartially. What was the position of affairs to-day? Let them look at affairs here in 1843, when Lord Metcalfe went against a large majority of the people of this country, when he forced Mr. Lafontaine to resign. He was supported, it was true, by a small majority of the people; that was to say, he obtained what the hon. gentlemen on the other side did not expect to obtain—the verdict of the people at the polls in favour of his action. But what was the opinion given by Lord Grey in 1844, when he examined the position of Lord Metcalfe? He said:—

"The effect of this action was to place him in direct hostility to one of the great parties into which the colony was divided, though the difficulty of carrying on the Government was thus obviated for the moment, as the party into whose hands he threw himself possessed a small majority in the Assembly. This advantage was dearly purchased by the circumstance that the Parliamentary Opposition was no longer directed against the advisers of the Governor, but against the Governor himself and the British Government, of which he was the organ."

Mr. Letellier had thrown himself at the mercy of the friends of the hon. the First Minister, and was at their mercy. His position was not one to be envied; it was not a sound one by any means; though the statements against him might be disproved, he was not in the position they should wish to see the representative of the Crown in Quebec occupy. In what position would he be if his friends were defeated at the poll? He (Mr. Masson) knew it was absolutely indispensable for the working of a Government that there should be a reciprocal understanding and confidence between the Governor and the Administration, and how could it be obtained in this case? Could he expect men to serve him with that cordiality

which should exist between the advisers and the advised? Was it to be expected that any man would say, Mr. Letellier would hold the balance fairly between the two parties? He dared say they would hear a protest from the whole of the Provinces, as they had heard one from this House to-night; and, without a single word of mitigation, Mr. Letellier would be universally blamed for his views, blamed even by the hon. gentlemen opposite, who had only taken a side issue in order to avoid a verdict for party purposes.

MR. LAURIER said the hon. gentleman who had just addressed the House, had endeavoured to influence the question by casting upon the Liberal party of the Province of Quebec, what could be termed by no other name than foul slander. He commenced his remarks by quoting M. Thiers in favour of constitutional monarchy, in order to show that in the ranks of the Liberal party in Quebec, there were men opposed to Constitutional Government. Such an accusation coming from the member of Terrebonne surprised him very much. It surprised him that a man, whom he believed to be the fairest Conservative in Quebec, should have made use of such language. Yet it was not surprising, for it was only a continuation of the tactics which had been used, again and again, in the Province of Quebec for the last twenty-five years, and the day had not yet dawned in that Province when it had been their good fortune to discuss any public question upon its merits. When they were discussing any question, his party were always met with the taunt that they were Communists, or something of that kind. He defied the hon. gentleman, or any of his followers, to quote any utterance by any member of the Liberal party of Quebec, that could justify such an accusation. They were Liberal in the sense in which Liberalism was regarded in England. It had always been the tactics of the hon. gentleman to throw that accusation against them; it sounded well to the people; it had been repeated again and again, and would be all through the elections. Upon this question, he would not charge the hon. member for Terrebonne (Mr. Masson) with a

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deliberate falsehood, but he would make a counter-charge. While the hon. gentleman charged them with being Communists, he (Mr. Laurier) charged the party which the hon. gentleman led with being hostile to the principles of Responsible Government; and he made this charge advisedly. The doctrines could be judged by the tone of its Press. He could cite from articles of their most authorized organs in which the principles of Responsible Government were condemned. It was well known that the French Charter of 1830 was a close copy of the English Constitution. And yet, what was the opinion which a Conservative paper put upon that Constitution in France:—

“Under the Charter of 1830, the Crown was in a most humiliating position, and Louis Philippe was reduced to extract from the majority, by means of corruption, the principle of authority which had been taken from the Crown.”

This was the estimation in which hon. gentlemen opposite held the British Constitution, of which the French Constitution of 1830 was a copy. But it might be said that this was simply an opinion as to its applicability to the French people. He knew this defence was made. If that were the argument, he would simply answer that in these quotations the hon. gentlemen opposite showed what were their ideas of Responsible Government. But he could give them, also, what were the opinions at this very moment of those who stood here as the champions of Responsible Government. He would cite from an article published in one of their leading organs, *Le Courrier du Canada*, on the 13th March last:—

“The electoral contest is now engaged in everywhere, and we know that, under the circumstances, it may be extremely violent. These elections will be followed by the Federal elections, these will be followed by school elections, and these by municipal elections; in fact we have elections everywhere. We may, therefore, consider that for a long time election agitation will be permanent. The friends of tranquility are, for good reasons, frightened at the system of the age. We must drink the cup to the dregs. Everything indicates that elections will continue to become more and more frequent; Liberalism is fond of election. These elections will increase agitation. When we speak of Liberal-

ism, we speak of Liberalism in Canada as well as elsewhere, because here as elsewhere it has recorded on its programme universal suffrage. This is what the Liberals call the vindication of the rights of the people. For this prerogative, the poor working man is bound to give away many hours from his labour."

Here was an organ of the Conservative opinion in Lower Canada stating that this system of Responsible Government was an invention of the devil. On the floor of Parliament the Conservative party stood as the champions of free Responsible Government: in the Press they openly denounce this same system. How was it that such a contradiction existed? There was in that article one paragraph which gave the key to the whole mystery. It was a part of the system which had been always carried out against the Liberal party in Lower Canada. On the floor of this House, they palmed themselves off as champions of free, Responsible Government, and, in the Press, they denounced the same system with the object of merely making political capital against the Liberal party. He was right in charging the party with being decidedly hostile to the form of Responsible Government under which they lived. Of course, they would not say so openly on the floor of this House; he did not expect any of those gentlemen to repudiate the language made use of in their Press; but, if they were as devoted as they pretended to be to the principles of Responsible Government, was it not their bounden duty to repudiate such language? They had never repudiated it.

Mr. BABY: Did you repudiate DeCelles' doctrine about annexation?

Mr. LAURIER said, if he were to name all the gentlemen who, at one time, held annexationist views, he would find many among the hon. gentlemen opposite.

Several HON. MEMBERS: No. Name?

Mr. LAURIER said he could cite many, but this was an old and dead issue. There was another organ of public opinion, the *Journal de Trois Rivières*, upon which he could not, unfortunately, lay his hands just then, as

it was not received in the Library, in which, hon. gentlemen would remember, a series of articles appeared, some four or five years ago, in support of the doctrine that the minority was not bound by the decree of the majority. Under the Constitution in which we live, the decrees of the majority, when expressed in the proper channels and in the proper form, must be respected by the minority. He did not mean to say the majority would not fall into error, but the remedies for errors were provided by the Constitution. Then it became the duty of the minority to agitate and have this error corrected, and he believed they could do it; and that justice would always in the end prevail. He held that this was true and sound doctrine; but in one of the papers of the hon. gentlemen opposite, a series of articles was published to establish the proposition that if a by-law was passed by the majority it would not be binding on the minority. The circumstances which gave rise to the articles was this: a by-law had been passed by a county, according to the terms of the law, granting a bonus to the North Shore Railway, upon a vote of the majority. These articles claimed that the by-law was not binding upon the minority who voted against it, but only on the majority who voted for it. Such language as that was used under a free Responsible Government by those who now taunted the Liberal party with being Communists. Strange to say, the late Quebec Government passed a law which had not been sanctioned, in which on frivolous pretexts, they compelled every one to pay the bonuses, whether the conditions were complied with or not. These gentlemen were here as the champions of Responsible Government upon the floor of Parliament, and, at the same time, in the country, they were attacking it with their own Press and with all the other weapons at their hands. In the country, they denounced the present system of Responsible Government; on the floor of Parliament they defended it. Just hearken to their language to-day. They the champions of civil rights; they the apostles of the doctrine that all royal power is superior to the people; they this time reduced the

representative of the Crown in the Province of Quebec to a mere automaton, which had nothing to do but what he was told by his Ministers. His (Mr. Laurier's) party were Liberal; they contended that the majority must govern, and that the power of the people must prevail, and that the Crown had its rights and the people had its rights. The best regulated State was the State in which the rights of the Crown and the rights of the people were clearly defined and greatly respected. This was not the doctrine of hon. gentlemen opposite. In connection with this, he claimed that it was not their duty or their province to criticize the conduct of Mr. Letellier. The proper judges were the people of the Province of Quebec. He would not follow the hon. gentleman in the controversy respecting the action of Mr. Letellier; but would leave it to the judgment of the people. But he would say this: that it would be the most dangerous principle and the most serious blow that could be effected against our institutions if the proposed motion were carried. The carrying out of this proposition would be a direct invasion of the federal system under which we lived. It was a well known fact that, had the Province of Quebec not represented a minority of a different creed, race and language, the union would not have been a federal one. It was federative to give to the Province of Quebec its autonomy. He was especially jealous to keep up the principles of the Federal system under which we lived. He submitted that the Dominion Government had no power to interfere with a matter which affected the provincial constitution of Quebec alone. It would be a most dangerous principle for this Parliament to interfere. He agreed with the hon. leader of the Opposition when he said that the Provinces were free and responsible Governments. If that proposition was a correct one, even though a great wrong had been committed against the people of Quebec, was it not a fact that they had the remedy in their own hands if they did not approve of the conduct of the late Government? It would, indeed, be better that a wrong committed in the Province of Quebec should remain than that the system of

Federal Government should be jeopardized. He did not mean to lay down the proposition that no matter what changes might take place in the Government of Quebec, Parliament should not interfere; he frankly admitted that a wrong might perchance be committed in the Province of Quebec which would justify this Parliament to step in. It would certainly be the duty of the Dominion Government to interfere in order to redress a wrong which the people could not themselves remedy. But if this power was exercised on slight grounds, what would become of our federal machinery which they had been at such a pain to establish? He submitted that the resolution placed in the hands of Mr. Speaker would, if carried, be an invasion of the rights of the people of Quebec. But hon. gentlemen opposite said that the rights of the people of Quebec had been trifled with and invaded by the action of the Lieutenant-Governor. Well, as he had already pointed out, the people of Quebec could remedy the evil themselves by overthrowing the present legal advisers of the Crown. It was not for this Parliament to say whether the Lieutenant-Governor had acted judiciously or injudiciously, wisely or unwisely, that was a question which would be decided afterwards.

MR. BROOKS said it was with diffidence he rose to join in the discussion of the important question now under the consideration of the House. That question was of more paramount importance than any of those which had been before the House during the present Session. It was a question of such importance in relation to the privileges of Parliament and the liberties of the people, that it should not be treated with reference to any particular party, but in a judicial spirit, simply and solely upon its merits. He would not have spoken upon this subject had he not, as one of the representatives of the English-speaking minority in the Province of Quebec, felt it due to his constituents as well as himself to do so. The transaction now under discussion was one which belonged peculiarly to his own Province, but it affected the whole federative

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principle in this Dominion. When it was considered that the majority of the people in that Province spoke a different language and professed a different creed from the majority of the people belonging to other parts of the Dominion, and also that the minority there differed in language and religion from the great majority of the people of that Province, it was of the highest possible importance that the privileges of Parliament and the liberties of the people should be preserved and guarded by every constitutional means. Let it be remembered, too, that while the action of the Lieutenant-Governor might today affect a certain section of the community only, to-morrow the tables might be turned, and another section equally adversely affected. He would, while referring to his own Province, take this occasion to state what he believed would be conceded by all parties: that if those of French Canadian origin and those professing the Roman Catholic religion throughout the Dominion, should receive, as he believed they always would receive, the same consideration, the same fair treatment which the minority, the English-speaking people and Protestants of Quebec, had always received from the French Canadian brethren of whatever political party, they would have no reason to complain, and harmony and good feeling would, as it should, ever prevail throughout the Dominion. As he had said, the question should be discussed upon its merits, but he found the hon. the Minister of Public Works declining to do so, and saying that the resolution which was brought before the House was an indecent one. He did not propose to answer the Minister of Inland Revenue, who was the last speaker, because he was not competent, nor was it the proper occasion, to go into the great national question of Liberalism and Conservatism as discussed by him. He (Mr. Laurier) had declared that the Conservatives of Lower Canada were never willing to discuss fairly any question on its merits. In this case the tables were turned, and the hon. gentleman had shown his skill by avoiding any reference to the question under discussion. He might remark that the question had been dealt with in a one-

sided way by hon. gentlemen opposite, instead of being discussed on its broad principles. It was certainly the first time he had ever heard the assertion made, that it was incompetent for an authority which conferred certain powers to discuss any matter which affected their powers. On looking to the *brochure*, published by Mr. Todd, at page 30 he found the following declaration:—

"Under the British North America Act (section 59), a Lieut.-Governor of a Province holds office during pleasure, but he is not removable within five years from his appointment, "except for cause assigned, which shall be communicated to him in writing within one month after the order for his removal is made," which cause is also to be communicated by message to both Houses of the Dominion Parliament. This enactment establishes a direct responsibility to the Canadian Parliament, not only for the selection of the fit and proper persons to fill their important posts, but also for any needful exercise of Executive authority in removing a Lieutenant-Governor from office before the expiration of his term of service. Accordingly, either House of the Dominion must be regarded as constitutionally competent to express an opinion, or to tender advice to the Governor-General, upon any matter arising out of the appointment of a Lieutenant-Governor, or his fulfilment of the duties entrusted to him, just as the Imperial House of Lords and Commons are competent to deliberate and advise the Crown upon any question affecting the welfare of British subjects in any part of the realm, but with this proviso, that inasmuch as an exclusive jurisdiction, in certain specified matters, is conferred upon the Provincial Legislatures, by the Imperial Act under which both the Dominion and the Provincial Constitution are regulated, it is alike incumbent upon the Dominion Parliament, upon the Governor-General as an Imperial Officer, representing the Crown in the Dominion, to respect and uphold the federal rights secured to the several Provinces, by that Statute, and to refrain from any encroachments thereupon, or interference therewith."

He took it that the only exception to this rule would be for the Dominion Government to interfere with the rights of local legislatures to deal with matters which, under the British North America Act, were extended to them.

MR. MACKENZIE: If the hon. member will allow me, I will put him right. He says I denounced it as improper and indecent to discuss this subject. I did not do that. I say that to move a vote of censure when a constitutional mode of dealing with it was in progress was an indecent proposition. I stated precisely in so many words, that I recognised the full right of this Parliament to discuss it.

SIR JOHN A. MACDONALD: But that it was indecent to do so.

MR. MACKENZIE: No; that is a different thing.

MR. BROOKS said he certainly did not wish to misrepresent what the hon. gentleman said. He took a note of it at the time and the words used were "indecent proposition."

MR. MACKENZIE: Yes, but not applied to the discussion.

MR. BROOKS said that if it was allowable at any time to discuss the Lieut.-Governor, an officer appointed by the Governor-in-Council, he could hardly see how any proposition which affected that appointment could be styled an "indecent proposition." In the consideration of this question, he might, perhaps, take up some time, but to his mind the question was one of such importance that, perhaps, a little time might be well spent in that consideration. He thought it would be well, in the first place, if they were to go back and review as briefly as possible the history of Responsible Government, the time when it was adopted, and the manner in which it had been carried out. It was a matter of history that, under the Constitution of the two Provinces of Upper and Lower Canada, we were represented in 1792 by a Legislative Council, the members of which were nominated by the Crown. Almost from the very outset of the working of that Constitution, difficulties of a very serious nature arose between the representatives of popular franchise and the Crown, and from the year 1791 up to the year 1841 there were constant discussions, constant broils, constant difficulties, arising between the several branches of the Legislature, which, during many years, rendered it almost impossible to carry on the business of the Government. Particularly did this occur prior to the passage of the celebrated Ninety-two Resolutions in 1834. It would be perfectly remembered that in the Province of Lower Canada for years the supplies were refused by a popular branch of the Legislature, because the Legislative Council, whose members were nominated by the Crown, and consisted, in many instances, of the actual servants

and employes of the Crown, refused to pass measures which were conceived in the interests of the Province itself. In 1834 the celebrated Ninety-two Resolutions were signed, and in 1836 an address was moved by the Legislative Assembly of what was now the Province of Quebec, and their platform (as it was now called) contained the following: Elective Legislative Council, Executive responsible to Parliament, and the control of the revenue of the country to be placed in the hands of the Lower House, inasmuch as a large proportion, notably the Crown lands, had been before that time under the control of the Government. They all knew to what extreme matters went subsequent to that time, how there was a rebellion in the Province of Lower Canada, and also one in Ontario, from very much the same cause, and that it was with the greatest difficulty, after even the shedding of their blood, that the people in Lower Canada obtained what they had been struggling for during many years. In Upper Canada, in 1837, they found the Administration of the day resigning simply because they could not obtain Responsible Government, and the result of the whole matter was an investigation by a Royal commission. Then they found that in 1841 the Union Act was granted, and gave what they had been so long contending for. Perhaps it might not be amiss to refer to the resolution in regard to it, as showing what was the disposition and desire of Parliament at that time, and of those who were the leaders of the Liberal party of that day, as indeed also the desire of nearly every member of the Assembly. On the 3rd September, 1841, it was moved by Mr. Baldwin and seconded by Mr. Viger:—

"That in order to preserve that harmony between the different branches of the Provincial Government which is essential to the happy conduct of public affairs, the principal of such subordinate officers, advisers of the representatives of the Sovereign and constituting as such the Provincial Administration under him, as the head of the Provincial Government, ought always to be men possessed of the public confidence, whose opinion and policy harmonizing with those of the representatives of the people would afford a guarantee that the well understood

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wishes and interests of the people, which our gracious Sovereign has declared, shall be the rule of the Provincial Government, will at all times be faithfully represented to the head of the Government and through him to the Sovereign and Imperial Parliament."

This was amended by a motion proposed by Mr. Secretary Harrison, seconded by Mr. DeSalaberry, which obtained the support of the whole Assembly, with the exception of some seven members, and was as follows:—

"That in order to preserve between the different branches of the Provincial Parliament that harmony which is essential to the peace, welfare and good government of the Province, the chief advisers of the representative of the Sovereign, constituting the Provincial Administration under him, ought to be men possessed of the confidence of the representatives of the people, thus affording a guarantee that the well-understood wishes and interests of the people which our gracious Sovereign has declared shall be the rule of the Provincial Government, will, on all occasions, be faithfully represented and advocated."

That was passed by a vote of fifty-six to seven, the fifty-six including Messrs. Baldwin, Draper, Day, Harrison, Morris, Simpson, Viger, and other well-known names in the history of the country. In reference to the same subject, he would take the liberty of reading a short extract from a letter written by Lord John Russell to Lieutenant-Governor Thomson, on the 4th October, 1839. Lord John Russell said:

"The Constitution of England, after long struggles and alternate success, has settled into a form of government in which the prerogative of the Crown is undisputed, but is never exercised without advice. Hence the exercise only is questioned, and, however the use of the authority may be condemned, the authority itself remains untouched. This is the practical solution of a great problem, the result of a contest which, from 1640 to 1690, shook the monarchy and disturbed the peace of the country."

In conclusion, he said:

"Every political constitution in which different bodies share the supreme power, is only enabled to exist by the forbearance of those among whom this power is distributed. In this respect the example of England may be well imitated. The Sovereign using the prerogative of the Crown to the utmost extent, and the House of Commons exerting its power on the purse, to carry all its resolutions into

immediate effect, would produce confusion in the country in less than a twelvemonth. So in the Governor thwarting every legitimate proposition of the Assembly, and the Assembly continually recurring to its power of refusing supplies, can but disturb all political relations, embarrass trade, and retard the prosperity of the people. Each must exercise a wise moderation. The Crown must only oppose the wishes of the Assembly where the honour of the Crown or the interests of the Empire are deeply concerned; and the Assembly must be ready to modify some of its measures for the sake of harmony, and from a reverent attachment to the authority of Great Britain."

That, in 1839, was the declaration of Lord John Russell, and he (Mr. Brooks) might be pardoned if he referred to an authentic declaration by May, upon this very subject, as to the time when Constitutional Government was founded in this country, and the effects of it. In speaking of this matter, with regard to Canada, May says:—

"After the reunion of the Canadian Provinces a remedy was sought for disagreements between the Executive and the Legislature on the principle of Ministerial responsibility, which had long been accepted as the basis of constitutional Government in England. At first Ministers at home were apprehensive lest the application of that principle to a dependency should lead to a virtual renunciation of control by the Mother Country. Nor had Canada yet sufficiently recovered from the passions of the recent rebellion to favour the experiment. But arrangements were immediately made for altering the tenure of the principal colonial offices; and in 1847 Responsible Government was fully established under Lord Elgin. From that time the Governor General selected his advisers from that party which was able to command a majority in the Legislative Assembly; and accepted the policy recommended by them. The same principle was adopted about the same time in Nova Scotia, and has since been the rule of administration in other free colonies. By the adoption of this principle a colonial constitution has become the very image and reflection of parliamentary government in England. The Governor, like the Sovereign whom he represents, holds himself aloof from and superior to parties, and governs through constitutional advisers who have acquired an ascendancy in the Legislature. He leaves contending parties to fight with their own battles, and by admitting the stronger party to his Councils brings the Executive authority into harmony with popular sentiments.

"As the recognition of this doctrine, in England, has practically transferred the supreme authority of the State from the Crown to Parliament and the people, so in the colonies has it wrested from the Governor and from the parent State direction of colonial affairs.

"And again, as the Crown has gained in ease and popularity what it has lost in power, so has the Mother Country in accepting, to the

full, the principles of local self-government, established the closest relations of amity and confidence between herself and her colonies."

Although passed in 1841, responsible Government did not in reality, immediately come into force in the united provinces. Sir Charles Bagot was sent out as Governor in 1842, and recognized the principle; but Sir Charles Metcalfe, the subsequent Governor, failed to recognize it; and it was not until Lord Elgin was sent out that it was fully recognized and acted upon. Then Messrs. Lafontaine and Baldwin came back to office, and they found in the administration of the first Governor, who really helped Responsible Government, the names of Messrs. Lafontaine, Caron, Viger, Taché, Baldwin, Hincks, Cameron and Blake. Then was finally granted to Canada the right to manage her own affairs, the Imperial Government only reserving her prerogative with regard to her own interests. Having shown the time when Responsible Government was introduced, he might be pardoned if he enquired as to the principles of Responsible Government, and the violation of them, although the able address by the mover of the resolution before the House had almost rendered it unnecessary. He might say that the premises laid down here had never been contradicted; but in an investigation of this question it was well to consider this point. In the English Parliament in 1870, a resolution was passed which declared that the power of the Crown had increased, was then increasing, and should be diminished, and from that time to this the tendency had constantly been in this direction. He might fairly make a distinction and say that the principles of Responsible Government were not the same as they were at the time the Union Act was passed. It had been properly stated this evening that there had been a change, gradual and slow in its growth, and now in all important questions of Legislation the popular branch had the initiation of measures, and, in reality, the power which truthfully belongs to the King, the Lords and Commons, still having the right by vote or disallowance by vote to the other branches of the Legislature.

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The only three cases which had been referred to as precedents for the action of the Lieutenant-Governor of Quebec, were the action of George III., in 1781, after the defeat of the India Bill in the House of Lords, the dismissal or resignation of the Grenville Administration in 1807, and, between those dates, in 1801, the resignation of Pitt, and the dismissal of Lord Melbourne's Administration by William IV., in 1834. The question was whether we were to be guided by the principles which prevailed one hundred years ago with regard to matters of this kind. Would they in England be willing, or would we in Canada be willing, to submit to some of the rules which then prevailed? It had been very properly stated that the three examples had all been condemned as violations of the Constitution. The last case referred to was that of the dismissal of Lord Melbourne. He would cite in regard to that, as the declaration of an eminent authority, the opinion of a writer upon English history, which, he thought, could hardly be questioned. In the first volume of Molesworth's History of England, page 453, with reference to the last of these precedents which had been cited as being a constitutional one, at any rate, for the dismissal of a Government by the Crown, it was stated:—

"Such was the outcome of the attempt to force a Conservative Ministry on the country. The results were the needless turmoil and expense of a hotly-contested election. A great expenditure of money, a great loss of time, wasted in party strife, which should have been devoted to the public business; a diminution of the Liberal majority, and a proportionate increase of the Conservative opposition; a consequent weakening of the Melbourne Administration, compelling it to seek strength and stability in a closer alliance with O'Connell and his followers. And now the question arises: Who was really responsible for these mischievous results? On the principle that the King can do no wrong, the blame of this must be thrown, 1st. On the Duke of Wellington, who consented to fill Lord Melbourne's place provisionally; and, next, on Sir Robert Peel, who accepted it definitely, and accepted it with the responsibility of Lord Melbourne's dismissal, as he honourably and frankly acknowledged. But history must not be arrested in its decisions by constitutional factions. It judges Sovereigns as well as their Ministers. And in this instance it must condemn William IV., as having made an unwarrantable use of his prerogative in order to transfer the Government of the country to the party he preferred. Had Lord Melbourne stated his inability to carry on the business of the country, the King might have accepted

his resignation. But Lord M. did nothing of the kind. He had a large majority in the House and country, and was prepared to go on when so unexpectedly dismissed for reasons which soon proved to be utterly groundless. This act was consummated before any adviser, that the King might have recourse to in accordance with the form of the constitution, could have been consulted. It was an act done by the King on his own judgment, or on the advice of persons to whom he should not have listened in such a matter."

This was the last instance in English history in which the course pursued by the Lieutenant-Governor of Quebec had been followed. With respect to this last case, reference had been made to Lord Brougham; and he would quote his declaration of the principles involved with regard to that, a declaration which, he presumed, would not be contradicted. In 1835, immediately after this, in a speech delivered by him upon that occasion, he said, in regard to choice of officers :

"By whom is it vested? In the King. But it is a power exercised for the good of the people; it is not to be dealt with capriciously, it is not to be used as an amusement, it is not to be played with, not to be employed as a man would the power to discharge his servant without notice, to gratify his own whims. A man might exercise this power of arbitrary dismissal if he pleased, and he would be the worse served, he would be the loser, but he alone would be the injured party. But the King holds the power in question, not for his own gratification, not at all for his own purposes. It is not he that is to be benefitted or injured by the exercise of it; he is a trustee; he is himself a public servant; he is appointed and empowered for the benefit of his people. The trust which he exercises is wholly for their sake. No Sovereign of this country has a right by the Constitution. The Sovereign, I say, has no right by the Constitution it is illegal, it is prohibited to the Crown, it is a wrong, an unlawful, a criminal Act, to exercise that high function of dismissing his Ministers and choosing others unless on grounds capable of being stated and defended. I will now defy my opponents to give, unless in the times of the Tudors or of the Stuarts, a single instance where there has been any great Ministerial change, otherwise than on assignable constitutional and public grounds. If they were torn among themselves by endless dissensions, if they differed from the Sovereign, if they defended the country at large, if their measures were evidently ruinous, if dishonour abroad and disaster at home marked the whole tenor of their Government, any of these might be constitutional grounds for their dismissal, and, above all, if there happened to be a general feeling of distress, and disapprobation throughout the country, that would be a sufficient ground for such a procedure."

They had a right to discuss in this House the grounds upon which the

action of Mr. Letellier, in dismissing Mr. De Boucherville as Prime Minister, was capable of being stated and defended. They had also received intimation that his conduct would be discussed; otherwise, for what purpose were the returns sent down? The Government of the day had sent down all the information which it was possible to obtain, both from the Lieutenant-Governor and his late Prime Minister, and it was competent for this House to discuss this question, having all the data that could be obtained before it. Upon this question, Todd in his book on Parliamentary Government stated :

"Once a Ministry is formed, it becomes the duty of a Constitutional Monarch to give it his implicit confidence and support, co-operating heartily and sincerely with the members of his Cabinet, so long as he may consider that the best interests of the Empire are served by their continuance in office. Should he have reason to believe that those interests would be promoted by a change in his advisers, he is at liberty to insist that they shall give way to others in whom he can impose more perfect trust : but he must always take care to assure himself beforehand that the proposed alteration in the Ministry is one that will satisfy the nation, and will meet and secure the approbation of Parliament."

In this extract a principle was laid down with regard to the action of the Lieutenant-Governor which, certainly, did not fall within the facts as they had been laid before the House. Now, there was a celebrated instance where no action was taken by a responsible Governor in Canada, Lord Elgin, at the time of the passage of the Rebellion Losses Bill. Although he disapproved of that Bill, although it was one which had excited throughout the length and breadth of our land the greatest possible indignation amongst a large portion of our people, although public meetings had been held, and resolutions, almost innumerable, had been sent to him against the Bill, the Government of the day having a majority, he assented to it, although it was directly contrary to the policy which he would have advocated. He would also refer, although it might not be considered the highest authority, to what was said by Lord Melbourne himself, at the time of his dismissal. Referring to the precedents which had been cited, he said :

"I know the dissolution of 1784, 1807 and 1831, may be quoted as precedents. These

were bold, daring and desperate measures, all of them, and were admitted to be so by those who advised them. As to the dismissal of his own Ministry, my Lords, I believe the fact to be, that there has been no object in view but a change of men by a wanton act of power."

The authorities which he had cited were all anterior to the date he had mentioned as being the period when the principles of Constitutional Government received any material change, and if they were to look at what those principles were now, how within the last thirty years they had been considered and declared by those most competent to judge, they would find that, without a single dissenting voice, all the authorities, in referring to this matter, declared that, although in theory there might be the prerogative of power, there was no constitutional right under the circumstances to exercise that power. In looking at Todd's pamphlet, he found their first Constitutional Governor make a declaration which was an important one in this respect. Lord Elgin, in carrying out as he was instructed to carry out, and as he was determined to carry out, the true principles of responsible Government, made this declaration in a letter to Earl Grey:

"I give to my Ministers all constitutional support, frankly and without reserve, and the benefit of the best advice I can afford them in their difficulties. In return for this I expect that they will, as far as possible, carry out my views for the maintenance of the connection with Great Britain, and the advancement of the interests of the Provinces. I have never concealed from them that I intend to do nothing which may prevent me from working cordially with their opponents, if they are forced upon me, showing my confidence in the loyalty of all the influential parties with which I have to deal, and being devoid of personal antipathies. A Governor-General, by acting on these views with tact and firmness, may hope to establish a moral effect in the Province which will go far to compensate for the loss of power consequent on the surrender of patronage to an Executive responsible to the Local Parliament."

Todd further adds, speaking of the difference between those years and Lord Elgin's experience under a different system in another Province, that of Jamaica, where there was no responsible Government:

"To the question whether the theory of the responsibility of Provincial Ministers to the Provincial Parliament, and of the consequent

duty of the Governor to remain *absolutely neutral* in the strife of political parties, had not a necessary tendency to degrade his office into that of a mere *Roi fainéant*, Lord Elgin gave an unqualified negative. 'I have tried,' he said, 'both systems. In Jamaica there was no responsible Government, but I had not half the power I have here with my constitutional and changing Cabinet.' Even on the vice-regal throne of India, he missed, at first, something of the authority and influence which he had exercised as Constitutional Governor in Canada. This influence, however, was wholly moral: an influence of suasion, sympathy and moderation, which softens the temper while it elevates the aims of local politics."

All the authorities agreed on this point, that so far as this power which had been exercised by the Lieutenant-Governor of Quebec under the circumstances set forth, it was an unconstitutional use of the prerogative of a power which had become almost, if not quite, obsolete. He had cited all those authorities in order that, if possible, they might be answered by their friends who held contrary views. He would cite, from a work published in 1875, with many of whose tenets he did not agree, that of Harrison. He stated, in the most concise and emphatic manner, with regard to this power of the Sovereign:

"The King cannot insert a sentence or a phrase in his own speech. The old Whigs would rend their garments in sacred indignation at such protinity. The Tories would prophesy in the market place. He cannot add a clause to a Bill in Parliament. The very thought would raise a smile, to act on it would cause a revolution. The exercise of his legal vote would not be permitted in practice; a public attempt to effect legislation against the will of the nation would be the end of the dynasty."

Further on he says:

"There is only one moment in the practical working of our system when the Sovereign has even in appearance the slightest legislative power. That moment is when a change of Ministry occurs. But it is perfectly well understood that an outgoing Minister really nominates his successor under forms more or less circumlocutory. Mr. Disraeli once explaining the formalities with that delicious sense of humour in which, without moving a muscle, he contrives to quiz the British Constitution said: In extreme cases a venerable peer—a sort of family lawyer—is confidentially called in. Even if we could conceive a Sovereign so old-fashioned as to insist in personally nominating a Minister, the House of Commons would sharply call him to order. Shades of the wise and good Lord Somers, of Blackstone, of Hallam,

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and Macaulay, what radical speeches would be echoed from the benches of the Lords! The cause for which Hampden perished on the field and Sidney on the scaffold, would cease to rest and be thankful, and would begin to rub its eyes. The very lawn of the Bishop would ruffle in wrath. We may, however, be perfectly tranquil. No Sovereign has yet been seen to attempt any gambols with the Constitution, any more than the cream-coloured horses are given to kick to pieces the gingerbread coach. The Sovereign here, as we repeat with serious pride, has no part in government."

There was another authority to which he (Mr. Brooks) desired to refer. An authority which he was satisfied no one in the House or in the country would for a moment question, that of the eminent statesman, who, for the last five years, had been the representative of Her Majesty in this Dominion, and whose merited success had been greatly owing to his strict adherence to constitutional principles. He had declared it in 1873, in his celebrated speech at Halifax, at a time of great excitement, and this he (Mr. Brooks) believed no one would question, had been the rule of his conduct throughout the whole of his residence amongst us. His Excellency then said:—

"No, gentlemen, I understand my duty too well ever to allow my judgment or my sympathies to be surprised into political partizanship. My one thought and desire is for the welfare of Canada as a whole. My only guiding star in the conduct and maintenance of my official relations with your public men is the Parliament of Canada. In fact, I suppose I am the only person in the Dominion whose confidence in the wisdom and infallibility of Parliament is never shaken. Each of you gentlemen only believe in Parliament so long as Parliament acts according to your wishes and convictions. I, gentlemen, believe in Parliament, no matter which way it votes, and to those men whom the deliberate rule of the Federal Parliament of the Dominion may assign to me as my responsible advisers, can I give my confidence. Whether they are the heads of this party or of that party must be a matter of indifference to the Governor-General, so long as they are maintained by Parliament in their positions, so long as he is bound to give them his unreserved confidence, and defer to their advice and loyally to assist them with his counsels."

He (Mr. Brooks) should have occasion presently to apply this last particular remark to the conduct of his Honour the Lieutenant-Governor of the Province of Quebec, under the circumstances which were in question. The only other authority which he would

read would be one from a work that had been quoted by the right hon. member for Kingston, and one which not only in this but in every country was a recognised authority upon this subject,—Bagehot. In speaking of the policy of the Government—and the great question at issue came in here, for, according to what they had before them, it was a difference in policy which caused the dismissal by His Honour the Lieutenant-Governor of the Administration,—Bagehot said, on page 79, last edition of his work, as to the present rule, not that which prevailed a century ago, to which period the precedents cited by the hon. gentleman opposite related:—

"A century ago the Crown had a real choice of Ministers though it had no longer a choice of policy. During the long reign of Sir R. Walpole he was obliged not only to manage Parliament but to manage the palace. He was obliged to take care that some court intrigue did not expel him from his place. The nation then selected the English policy, but the Crown chose the English Ministers. They were not only in name, as now, but in fact the Queen's servants. Remnants, still important remnants, of this great prerogative remain."

Mr. Bagehot next referred to the dismissal of Lord Melbourne by William IV., and stated:—

"The discriminating power of William IV made Lord Melbourne head of the Whig party when he was only one of several rivals. At the death of Lord Palmerston it is very likely that the Queen may have the opportunity of freely choosing between two, if not three statesmen. But, as a rule, the nominal Prime Minister is chosen by the Legislature, and the real Prime Minister for most purposes—the leader of the House of Commons—almost and without exception is so. There is nearly always some one man plainly selected by the voice of the predominant party in the predominant House of the Legislature to head that party, and consequently to rule the nation. We have in England an elective First Magistrate as truly as the Americans have an elective First Magistrate. The Queen is only at the head of the dignified part of the constitution. The Prime Minister is at the head of the efficient part. The Crown is, according to the saying, the "fountain of honor," but the Treasury is the spring of business."

Then, with regard to the mode of selection of English Ministers, this author said:—

"The particular mode in which the English Ministers are selected; the notion that they are in any political sense the Queen's servants; the rule which limits the choice of the Cabinet to the members of the Legislature, are accidents unessential to its definition—historical incidents separable from its nature."

With regard to what had been during the reign of our present Sovereign the rule of conduct, the author said:—

“If we look at history we shall find that it is only during the period of the present reign that in England the duties of a constitutional Sovereign have ever been well performed. The first two Georges were ignorant of the English affairs, and wholly unable to guide them, whether well or ill, for many years. In their time the Prime Minister had, over and above the labour of managing Parliament, to manage the woman—sometimes the Queen, sometimes the mistress—who managed the Sovereign. George III interfered unceasingly, but he did harm unceasingly; George IV and William IV gave no steady continuing guidance, and were unfit to give it.”

As to the question of the theoretical powers referred to as to the prerogative powers of the Sovereign under certain circumstances, these powers, as had been very correctly stated under our Constitution, if they were exercised, would put an end to all Government. Bagehot, in his introduction to the last edition of his work, speaking of the abolition of purchase in the army, stated:—

“But this is nothing to what the Queen can by law do without consulting Parliament. Not to mention other things, she could disband the army (by law she cannot engage more than a certain number of men, but she is not obliged to engage any men); she could dismiss all the officers from the General Commanding-in-Chief, downwards; she could dismiss all the sailors too; she could sell off all our ships of war, and all our naval stores; she could make a peace by the sacrifice of Cornwall, and begin a war for the conquest of Brittany; she could make every citizen in the United Kingdom, male or female, a peer; she could make every parish in the United Kingdom a “University”; she could dismiss most of the civil servants; she could pardon all offenders; in a word, the Queen could, by prerogative, upset all the action of civil Government within the Government; could disgrace the nation by a bad war or peace; and could, by disbanding our forces, whether land or sea, leave us defenceless against foreign nations.”

Mr. Bagehot went on to explain why this could not be in reality accomplished. He would not detain the House by reading any other authorities, but simply say, as he had already mentioned, that upon these points all these writers agreed. Bagehot, on page 49 of the introduction, as to the power of dissolving the Assembly, and while contrasting their powers with those of the Sovereign, declared:

“By our Constitution, nominally the Queen, but really the Prime Minister, has the power of dissolving the Assembly.”

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Throughout the whole of the work, as well as that of Freeman, which had been referred to, and throughout all the late constitutional works the constitutional principle was clearly laid down, that this power could not, and ought not, to be exercised, and could not be constitutionally exercised at the present day, except under the most extreme and urgent circumstances. In the investigation of this case, it was for them to enquire, what were these circumstances; whether His Honour, Mr. Letellier, was justified, from the facts which he had stated, in doing what he had done? What were the grounds which His Honour had given for his action? They found that His Honour was, in December, 1876, appointed to the position he now held as an officer under the Governor-in-Council, and also that on the opening of the Quebec Provincial Parliament of that year, the present Chief Justice of the Court of Queen's Bench, in the Province, Sir Antoine Dorion, who, during the illness of the late lamented Governor Caron, acted as administrator of the Government, in the speech from the Throne, delivered on the 11th of November, 1876, said:

“The financial crisis which has everywhere made itself felt has been, and still continues to be, a source of serious embarrassment for such railway companies, as have, with an energy worthy of all praise, made very considerable progress, but which now find themselves arrested by the difficulties in the money market. It is the intention of my Government to come to the assistance by a measure which will, I hope, meet your approval. A Bill for the organization of the public service, and to render it more efficient, will be laid before you.”

Such was the declaration of the Administrator of the Government on the 11th November, 1876. The present Lieutenant-Governor was appointed in December, 1876. Before he went into the question referred to in that speech of the Administrator of the Government, he wished it to be distinctly understood that the question was not a question of the DeBoucherville or the Joly Administration with which the House had to deal, nor was it a question as to which party had their sympathies. It was not a question whether the measures which were



passed during the last year of the De Boucherville Government, and which led to his dismissal from power, were such as this Parliament approved of or not. With regard to the railway resolutions he might very fairly and frankly state that he considered the manner in which they were passed was an unwise one, because, however desirable the object, it could not have been attained by the enforcement of the payment of the subsidies which were sought by the passing of the Act, because they could never have been imposed otherwise than by process of law. That, of course, was merely a question of policy; it was also a matter of opinion how far the Lieutenant-Governor was constitutionally justified in taking the course which he did. Before going further, he (Mr. Brooks) would refer to some propositions which had been made by Mr. Todd, when speaking of the position of a constitutional Governor. The first of these was, that there should be a strict neutrality; the second, that he should advise and so co-operate with his Ministers; and, third, that he should accept the advice of his Ministers. Now, let him enquire what were the facts and how far the principles of constitutional Government as he understood they were carried out by His Honour. Although an explanatory letter had been written since, the first letter written by Mr. Letellier to Mr. DeBoucherville should previously be considered in the meantime. Take the first sentence and see whether the Lieutenant-Governor was preserving in that a strict neutrality, whether he was accepting and endeavouring to carry out the government of country, and whether he was co-operating with the Administration which had the support of upwards of two-thirds of the members of the Local House. The Lieutenant-Governor said a constitutional error had been committed. But in what way? He said it was only an error committed in good faith by the Premier. The Lieutenant-Governor said to the Ministers: "You have done a thing which you ought not to have done and which I did not authorize you to do, but which you believed I authorized you to do." Now what was the course he

or any constitutional Governor of a British Province ought to have pursued? Was it not his duty, in the first place, to have sent a memorandum to the Ministers insisting upon their undoing what they had, as he believed, done improperly, and to have made a record of it? No record had been made of this transaction, however, up to the time of the actual dismissal. There was but a word and a blow, and, unfortunately, the blow came first. Now, what were the reasons given for this dismissal? He said first, and that was the point regarding which he (Mr. Brooks) wished particularly to speak, it was because of the enormous expense occasioned by the very large subsidies to certain railways (the southern railways), while, as he said, the public funds were burdened with the obligations incurred in the construction of the North Shore Railway from Quebec to Ottawa, which had precedence. Now, if the Lieut.-Governor had been acquainted with the condition of affairs in our country, he would have known, that every one of these roads had received a grant of a subsidy during the last Parliament; that not a single dollar had been added since, and he said incorrectly that the great railway from Quebec to Ottawa was to take precedence of all others. And why? Those who were acquainted with affairs in Quebec must know that the legislation connected with railways commenced in 1869, and various enactments had been made since. In 1873-4, the third Session of the second Parliament, resolutions were passed and, under an Act based on these resolutions, a large number of roads received the sum of \$2,500 per mile. This was made a ground, forsooth, on which to attack the DeBoucherville Administration. In the Session of 1873-4 Mr. Laframboise moved, seconded by Mr. Bachand:—

"That this House regrets that the importance of the South Eastern Railway Company and the Montreal Chambly and Sorel Railway, and the great services that these roads are destined to render to the country, have been overlooked, and that these two companies have not been placed on the same footing as those mentioned in the first of these resolutions."

To this an amendment was proposed by Mr. Pelletier, seconded by Mr. Langellier:—

"That this House, moreover, regrets that the great importance of the Lévis and Kennebec road has not been appreciated at its just value."

This amendment was proposed, although the Lévis and Kennebec road was receiving the same subsidy as the other lines of railway. In the last Session of the last Parliament, an additional \$1,500 per mile was granted to a certain number of roads, and just before the general elections a resolution in amendment was proposed to this effect:—

"That this House regrets that the importance of the Quebec and New Brunswick Railway, to which a grant of land was made by the Railway Act of 1876, and also of that portion of the South Eastern Railway which belonged to the Richelieu, Drummond and Arthabaska Counties Railway, as well as that of the Missisquoi and Black Rivers Valley Railway has not been recognized or mentioned in the Land Resolutions, for which, amongst others, voted the following members of the present *de facto* Government: Messrs. Bachand, Chauveau, Joly, Langellier and Marchand."

He found, in addition to that, in 1875—after the railway policy with regard to the southern roads had been adopted—subsequent to the grants being passed, and the Legislature which gave these grants had been returned with an overwhelming majority—these same gentlemen, who were now the advisers of the Lieutenant-Governor, declaring:

"That this House begs to express the hope that in carrying out such contemplated arrangement—the assumption of the North Shore and Montreal, Occidental and Western Railway, no expense will be incurred which will add to the burdens of the Province by rendering any increased taxation necessary, and that in distributing the funds now at the disposal of the Province for railway purposes, those enterprises which have already been aided by the Legislature and are now suffering from similar causes to those which have retarded the progress of the North Shore and Montreal Occidental and Western Railways do receive their fair proportion of the assistance."

That was supported by Ministers Bachand, Joly and Marchand. Immediately afterwards a motion was brought forward by the same gentleman, with the addition of Mr. Laframboise:

"That in the opinion of this House the policy of the Government endangers the construction of the North Shore and Montreal, Occidental and Western Railways, and is at the same time unjust to the railways on the south side of the St. Lawrence."

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Now, one of the first reasons why the Lieut.-Governor did not agree with his Ministers, and summarily dismissed them was, that these enormous subsidies had been granted to several railways, while the Province was burdened with the construction of the great railway from Quebec to Ottawa, which was to take precedence of the others. Now, there was no law under which that railway was to take precedence—in fact these subsidies had been granted prior to the time when assistance was given to the Quebec and Ottawa Railway. Then he blamed them for not having reduced the expenditure at a time when their embarrassments prevented them from doing so. Surely that was no reason for dismissing the Ministry as he had done. The third reason given by him was that they had increased the salaries of the employés in the Civil Service. Now, he found that this was done under the provisions of the Act passed during the previous Session, and which had been sanctioned by Lieut.-Governor Letellier. Coming back to this question, he might state that in the Session of 1876, a declaration was made, that it was the intention of the Government to come to the assistance of these railways, and great hopes were entertained by the promoters of these southern roads that additional assistance might be granted. These hopes never were realized, and the greatest dissatisfaction was felt, from the fact that Mr. De Boucherville refused to increase by one dollar the grant to any of these roads, except in one case, where he did raise it, as was provided by law, from a lapsed subsidy. On glancing at the Public Accounts for the year 1875, it would be found that there was granted to the Quebec and Montreal road \$6,500.76, to the South Shore \$3,980.57; in 1876 there was granted to the South Shore \$1,957.45, and the Quebec and Ottawa road \$1,332,025; and he found that Mr. Letellier in assuming office made this declaration, which certainly was not put into his mouth by his constitutional advisers. On the 28th December, 1876, he said:

"Having been called upon to fill the important position of Lieutenant-Governor of this Province, which became vacant by the decease of my lamented predecessor I cannot allow

his opportunity to pass without rendering homage to the memory of the statesman whose long career has been an honour to himself and to the country.

"It will be my earnest desire, as it will be my duty, to comply with the spirit of the Constitution under which we have the happiness to live.

"I have much pleasure in congratulating you on the zeal and assiduity which you have manifested in the discussion of the important measures which have been submitted to you. I trust that the result of your labours will be to give a new impetus to the great improvements which have been undertaken in the Province."

He thus ratified what had been done, and referred to these very roads over which he said the railway from Quebec to Ottawa should take precedence as far as the finances of the Province were concerned. Now, it would be observed that, during the Session, His Honour did not consider that the circumstances of the Province were so very precarious as to oblige him to remain at the seat of Government; he found it better for his personal convenience to be absent. He (Mr. Brooks) might say also, that whatever occurred prior to the meeting of Parliament in this last Session, he had condoned. On the 29th January, 1878, he expressed by his action, confidence in the Administration. He did this when he was asked by the Premier, who wished to obtain from him authority with regard to the measures affecting the finances of the Province. He had such confidence in the Premier that he sent him a blank authority. And in addition to that, it was admitted, throughout these papers, that on the 19th February there was a conversation between the Premier and the Lieutenant-Governor with regard to certain measures. Then was the time, if the Lieutenant Governor desired to express and record his dissent from the legislation of the Administration, to do so in a constitutional way. He left an impression on the mind of the Premier, as he himself admitted, of such a vague and uncertain character, that he thought he was authorizing these different measures. They found that the result of this was, that resolutions referring to the South Shore roads were passed and signed by him. It certainly seemed to him that additional reasons should have been given, if there really were any reasons, in support of the dismissal. There was no opportunity,

prior to the dismissal, for any consultation between the Lieutenant-Governor and the Premier; there was no attempt to reconcile the difficulty, no apparent desire on the part of His Excellency, that these difficulties should be reconciled; but they found that on the 25th February he called for a certain document, and on the 1st March he dismissed his Ministers. Then the House had it before them, that the only reasons which at the time of the dismissal were given by him, were not sufficient, and they found that he afterwards sent to the Governor General additional reasons. The reasons were not sufficient to justify the course he had taken. In the exercise of the power to dismiss under these circumstances, he should have remembered that "though it was excellent to have the giant's strength, it was tyrannous to use it like a giant." Immediately after the declaration that he had determined to produce legislative and administrative changes, he gave the reasons which induced him to adopt that course, which reasons the hon. member for Terrebonne had truly stigmatized as puerile. If any lawyer having a brief, had given reasons for his conclusions similar to those assigned by the Lieutenant-Governor of Quebec, they would have been ruled out without any consideration. The first reason given was, that during the Session of 1876, a Bill had been read three times in one branch of the Legislature, and only twice in the other. That might be quite true; but, if it were, it was purely a clerical error which amounted to nothing, and in any case, the Lieutenant-Governor had not been called on to sanction the Bill, after the error had been discovered, and the Bill did not appear on the Statutes. Another reason he gave was, that during the same Session, a Bill had been submitted to him for sanction, in which he perceived a blank had not been filled up, but, as he admitted afterwards, it was probably a clerical error which amounted to nothing; and in any case, the Lieutenant-Governor had not been called on to sanction the Bill after the error had been discovered, and the Bill did not appear on the Statutes. Another reason he gave was, that, during the same Session, a Bill had been

submitted to him for sanction in which he perceived a blank had not been filled up, but as he admitted afterwards, it was probably a clerical error. Another grave reason was, that the word "amender" was in the infinitive mood, instead of being in a past tense. He thus quoted a petty, paltry quibble of a grammatical error as a reason for dismissing his responsible advisers. Then came the important matter of the appointment of a municipal councillor for Montmagny. The Attorney-General had recommended the Lieut.-Governor, on a petition from Montmagny, to appoint a councillor for that village. The Governor had some doubts about the appointment at first; but, after a second conference with the Attorney-General, he made the appointment. He (Mr. Brooks) did not think, in any case, the office of councillor to the village of Montmagny was such an important one, that one councillor, more or less, would endanger the safety of the Province of Quebec. Subsequently, other facts came to his knowledge, and he was asked to rescind that appointment, which was agreed to, and there the matter ought to have ended. The next two reasons for this important breach of the Constitution were, certainly, very serious if they were correct. The Lieut.-Governor stated that, in the *Official Gazette*, two Orders-in-Council were published without his signature. The first one was for the convening of Parliament, not for the despatch of business, but merely the usual formal order, which was repeated month after month in the *Official Gazette*; the other was the fixing of Thanksgiving Day. With respect to the convening of Parliament for the despatch of business, it appeared the proclamation was not published until the 24th November, and Mr. Letellier's letter, drawing attention to the fact that the two proclamations had been issued without his signature, it appeared, from the record, was dated 6th November, and the day appointed for the convening of Parliament was the 24th December. He declared he had not signed the proclamation. He (Mr. Brooks) was not in the secrets of the Governments, but he found it stated that this Order-in-Council,

as well as the subsequent one, had been actually signed by the Lieut.-Governor with his own hand and signature and was dated 6th November; so that this particular Order-in-Council for the convening of Parliament was signed by him and on record in the proper office. With reference to the latter Proclamation, fixing a day for Thanksgiving, it was the result of a suggestion of the Premier of the Dominion to Lieut.-Governor Letellier. Then came the real substantial reason which he gave as an additional cause for dismissing his Ministers. Mr. DeBoucherville had stated he was governed by "rings" which were forcing him to making additional grants to different roads throughout the country. He (Mr. Brooks) had proved from the documents which he had read that if there were "rings," if any constraint or force were brought to bear upon the Lieut.-Governor in this matter, it was brought by those men whom he had called to replace his former advisers. It was a matter of fact that for two years, not one additional dollar had been granted to any of these other roads, except to advance to certain roads a part of the subsidy on the un-built portion. Time after time deputations had waited on the hon. the Premier, desiring him to grant additional assistance to those roads; they failed in their appeals, although some of the roads would be of the greatest possible benefit and deserved to be assisted by the Government; and still he (Mr. DeBoucherville) was to be turned out of office, because he declined to grant what they had endeavoured to obtain. It might be said that this matter was not one of the very greatest possible importance, that at any rate it should not be brought up here, and that they ought not to agitate it or discuss it here or interfere with the choice of the electors of the Province of Quebec. The answer to this was, that they had a right at any time, and at all times, to discuss this constitutional question. There was no period, when an event of this kind occurred, that the conduct of the Lieutenant-Governor, an officer appointed by the Governor-in-Council, and responsible to them, might not properly be brought under the consideration of this House.

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which was the ultimate authority that should determine upon the constitutionality of any act or any violation of the Constitution, in any particular, and not the country. This was an attempt to change the issue, and to have the country to declare what Parliament was not sufficiently educated to decide. This was an attempt to divert the issue. So far as this was concerned, he did not know what the country might say; but, whether it declared for one or the other Government, whatever might be its decision on this point, it was the duty of the hon. members and of the House, either now or at some other time, to enter on record their deliberate opinion with regard to the conduct of the Lieutenant-Governor in the exercise of his duties. If there had been a violation of the political Constitution, it was not to be allowed to produce all the evil effects intended, and have full sway, and then to pass a mild resolution which would condemn such violation. If there had been a violation and an undue or improper use of the prerogatives of the Crown, he certainly could not, in this regard, cite a better authority than that of the late Minister of Justice, given on the memorable occasion in 1873, touching the prorogation of this Parliament, when the hon. gentleman declared that such prorogation by the Governor-General was a violation of constitutional principles, although the prorogation was only for a short time. The hon. gentleman then said:

"What I say with reference to prorogation, I say with reference to the Commission, that its appointment was a violation of the ancient landmarks and rights of Parliament, and an invasion of the rights and privileges of the people by the exercise of the prerogative, which ought not to be tolerated."

And why? The hon. gentleman cited the very best possible authority on that occasion, and this was taken from a celebrated writer (Junius), an authority which, moreover, had as much force now as then, and which justified the action at the present time being taken with regard to this matter. This authority was as follows:—

"Never suffer any violation of your political constitution, however minute the instance may appear, to pass by without a determined, persevering resistance. One precedent makes

another; they soon assimilate and constitute law. What yesterday was fact, to-day is doctrine. Examples are supposed to justify the most dangerous measures; and, where they do not suit exactly, the defect is supplied by analogy."

With regard to this same question of the prerogative, he might also cite the hon. the Minister of the Interior as an authority. On the 14th August, 1873, a resolution was proposed by the Hon. Mr. Cauchon, seconded by Mr. Mills, as follows:—

"That the prorogation of Parliament without giving the House of Commons the opportunity of prosecuting the enquiry it had already undertaken, was a gross violation of the privilege and independence of Parliament, and the rights of the people."

If that was such a gross violation, what should they say regarding the action of the Lieutenant-Governor in this case, where two-thirds of the Legislative Assembly not only supported the Administration of the day, but also declared this both before and afterwards, and represented to the Governor-General that they had full confidence in the Administration of the day; and that the Ministers who had been named to replace the Administration did not have the confidence of the country. Then, if a case of simple prorogation for a short time was a breach of the prerogative which ought not to be tolerated, this case now before the House was certainly one that ought not to be tolerated.

MR. MILLS: Do you concur in that opinion?

MR. BROOKS said he cited a very good authority in favour of this opinion—the Minister of the Interior. He was very glad to state that he did not believe that the hon. the Premier, or the hon. member for Chateauguay, or the late Minister of Justice (Mr. Blake), ever had any knowledge or intimation with regard to this action of the Lieutenant-Governor, or would ever have sanctioned or approved it. He certainly should not believe otherwise until he heard it from the lips of these hon. gentlemen. He believed that their regard for constitutional precedents and authority was so great that not one of them would be willing to stand

up in the House, and declare to the country that they approved in any way of that use of power, even though theoretically within the prerogative of the Crown. There had been a *coup d'état*, not as bloody as that of 1851 in France, but, so far as concerned the object to be attained, as effectual; and, although they might not now know, they would before long know, who were the advisers of this *coup d'état*. They knew perfectly well who was the Napoleon, but they did not know who were the Marny, the Fleury, Maripas, and the St. Arnaud, formerly Roy, who assisted at this *coup d'état*. Their names were not known, but, possibly, before very long, they might get some light on this subject. He was afraid that he had wearied the House, and as the Premier had given him the hint that time was fleeting, he would cut short his remarks. He would just observe that, if the action of the Lieutenant-Governor was justifiable, it would be just as right for the Governor-General of the Dominion of Canada to write a letter to the Premier declaring that he was dismissed from his Councils because he did not agree with him upon the Protection policy. That would be no greater violation of the constitutional principle than what had occurred in the Province of Quebec. There was only one other point to which he would refer, and that was to the Premier having found fault with the moderation of the motion; at one time he called it an indecent proposition, and then said the hon. gentleman who moved it did not go far enough. He (Mr. Brooks) would have been disposed to go much further than the resolution, and to declare in stronger terms that the action of the Lieutenant-Governor was unjust and unwise, and a violation of the constitutional principle of our Government. He certainly thought it was too moderate, and he believed it was so framed in order that it should meet the views of hon. gentlemen on both sides of the House. The question was of such great importance that he hoped to be pardoned for having so long occupied the time of the House. If the Lieutenant-Governor of one of our Provinces were permitted, without question, to do what neither the Sovereign nor the

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Governor-General would venture to do, there would be no safety and no peace in the Dominion.

Could great men thunder  
As Jove himself can! Jove would ne'er be  
quiet,  
For every pelting petty officer would use his  
heaven or thunder,—  
Nothing but thunder.

MR. LANGEVIN moved the adjournment of the debate.

Motion agreed to.

House adjourned at  
Five minutes after  
Two o'clock.

## HOUSE OF COMMONS.

Friday, 12th April, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### INTRODUCTION OF A MEMBER.

Thos. Robert McInnes, Esq., representative for the Electoral District of New Westminster, British Columbia, was introduced to the House by Mr. Dewdney and Mr. Macdonald (Centre Toronto), and took his seat.

### CANADIAN PACIFIC RAILWAY SURVEY.

#### QUESTION.

MR. TUPPER: I would again like to ask the hon. the First Minister, when he thinks that he will be able to place in our hands the report of the acting Chief Engineer in connection with the route of the Canadian Pacific Railway. When the hon. gentleman, in response to my enquiry, the other day, questioned the source of my information, I was taken a little aback, but I put myself in communication with the gentleman who spoke to me on the subject, and asked for his authority for the facts as to there being a report in the hands of the Government, and he stated to me that his authority was the statement of the hon. gentleman's colleague, the Secretary of State, in the other House, who said that this report was in the hands

of the Government, and would be submitted at any early day. I take this opportunity of mentioning to the hon. gentleman the source of my information.

MR. MACKENZIE: I am very glad to know that authoritatively. I have only to say that as soon as the other reports that were given, are in, they will be laid before the House; but I am not prepared to place that particular report on the table until the others are ready.

#### THE QUEBEC CRISIS.

##### ADJOURNED DEBATE.

Order to resume the adjourned debate on Mr. Cartwright's proposed motion: "That Mr. Speaker do now leave the Chair, for the House to go again into Committee of Supply"—and of Sir John A. Macdonald's motion in amendment thereto: "That Mr. Speaker do not now leave the Chair, but that it be *Resolved*, That the recent dismissal of the Lieutenant-Governor of the Province of Quebec of his Ministry, was under the circumstances unwise, and subversive of the position accorded to the advisers of the Crown, since the concession of the principle of Responsible Government to the British North American Colonies," *read*.

MR. LANGEVIN said that when the House adjourned last night, he was about to say to the hon. the Minister of Inland Revenue that he was astonished to hear him begin his speech on this question by calling the attention of the House to the principles of the Liberal party in the Province of Quebec. He had thought that the question before them was another, a great constitutional question, and that, at all events, for the moment, the discussion of the principles of the Liberal party might be left over for another occasion; but, as it had pleased the hon. gentleman to call the attention of the House to these principles, and to take his hon. friend (Mr. Masson) to task for the allusions he had made during his able speech on this matter, he (Mr. Langevin) must say he was bound to answer the hon. gentleman, take up his different propositions, and endeavour to meet them. The hon.

gentleman began by saying that the Liberal party in the Province of Quebec held the same principles that the Liberal party in England professed. He had read that the hon. gentleman on another occasion had advocated this claim on the part of the Liberal party of the province of Quebec; but he had yet to see that the hon. gentleman had proved his case. The hon. gentleman, in order that he might prove his case, began by placing aside the principles advocated by the Liberals of the Province of Quebec up to the time when he became a public man. The hon. gentleman said that all this must be left out of sight, that all this was to be forgotten, that they need not now consider these matters; and that these were their principles. It was very easy for the hon. gentleman to repudiate all his leaders, some of whom he (Mr. Langevin), had no doubt were able and great men in their way, and to say with regard to some of them, that "they were all young men, and the principles which they advocated at that time were repudiated." The hon. gentleman then came to others of these leaders, and touching them he said: "As to this man, he was an extremist, and a man who did not really belong to the party which we now have in the Province of Quebec." Yet he came and said: "Here are our principles. Our principles are those of the English Liberals of to-day." Now, in order to see what the principles of the Liberal party in the Province of Quebec were, they had only to look back to the great programmes of that party. The hon. the Minister of Inland Revenue might say that was ancient history, but he did not hesitate to go thirty or forty years back, and say that at such and such a period the Opposition had done so and so. Well, to go back to the famous programme of 1847, we found therein this item, "Annexation to the United States." He wished to know from the hon. gentleman whether the programme of the Liberals in England contained such an item—"The annexation of any part of the British Empire to the United States or any other country." The Liberals of England were a great party, but they maintained the integrity of the British Empire as much as any other party in the

country. When the Government of England came down, the other day, with a message from the Queen in reference to the reserves, what was the vote given in the House of Commons? Why, only a small minority went against the proposal and a large majority on both sides assented to it. So much for the famous programme of 1847, which was in 21 articles and which lasted seven years. In 1854, the Liberal party had become stronger and more numerous. They had a number of representatives in the Parliament of Canada; they had a number of talented young men in their ranks, and they thought they might let the public into their confidence, and let them know exactly what their true principles were. And what did we find in the famous programme of 1854? We found that the 29th article enjoined "Independence," "Republic," "Annexation to the United States." Had the Liberals in England ever put forward such a programme? No; the Liberals as well as the Conservatives of England were in favour of monarchical institutions, of the Queen, the Lords and the Commons. They did not desire any change in the great institutions of England. What, then, did these hon. gentlemen mean by "Independence," "Republic," "Annexation to the United States"? He wanted to know whether there was one hon. member in the House who would rise in his place and say he wished the separation of this country from England. He knew that some of them had disguised their professions and aspirations. Some of them had gone as far as to lecture their constituents; but while speaking of independence had twisted it round in such a way that they might not be caught as really wishing the independence of the country. One hon. gentleman had published a lecture in which that principle was advocated; but when had he come upon the floor of the House and advocated his ideas? He had not done so, and the House knew the reason why. When a gentleman took the responsibilities of office he forgot the ravings of his younger days and became more sober in his views. Perhaps when he went out of office, he might revert to his former ideas.

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**MR. LAFLAMME:** Will the hon. gentleman tell me where he obtained that programme?

**MR. LANGEVIN** said the hon. the Minister of Justice would surely not repudiate the programme of 1854. The hon. Minister was now the only representative in the House who belonged to that association of young men in 1854, and surely he was not ashamed of them. These young men, many of whom had gone down to early graves, might have erred in many respects, but the hon. gentleman ought not to be ashamed of them, because their voice and exertions had helped him to attain the position which he now occupied. The hon. gentleman ought not to be ashamed of the position he assumed in his younger days, although he might never recognise his former folly. The hon. the Minister of Inland Revenue was not then associated with these young men, because he must have been a mere baby at the time they flourished, but having joined the Liberal party he ought not to repudiate the programmes of his party; otherwise he had no right to a place in their ranks. One of the most able men of that period now almost forgotten by his party, though not forgotten by the party now in Opposition, who knew him sometimes to their detriment, was Mr. J. B. E. Dorion, *l'Enfant Terrible*, as he had been nicknamed. This gentleman had been spoken of by the hon. the Minister of Inland Revenue in a way he would not dare to have referred to him, had he been in the House at the present time; he could not withstand the fire of his eloquence and his talent. Although he (Mr. Langevin) had always acted and voted against Mr. Dorion, he recognised his talent, and he certainly thought it ungenerous, now that he had gone to his grave, that he should be alluded to in such terms as had been applied to him. Did any leading member of the Liberal party in England ever advocate a republic? No; the great men of that party in England were not so forgetful of their allegiance and their duty to the great interests of the country to advocate such a policy. Both parties in England were more loyal to the Crown. The next item on the programme was annexation.



tion to the United States. Of course, as the hon. the Minister of Inland Revenue stated, this was now a dead issue. This programme was, however, signed by the hon. gentleman, and, no doubt, it was exceedingly inconvenient for him, that the attention of the House was called to the fact. The people of Lower Canada repudiated such a programme, and would have nothing to do with a party which was not loyal to the Crown. But there was also another programme, because the Liberals changed their programmes as often as there was a new Parliament. At the present moment, these hon. gentlemen imagined that, by having in their hands the Governments of the Province of Quebec and Ontario, their principles would ultimately prevail. As had been stated on the previous day, there was now an appeal to the people of Quebec, which would show hon. gentlemen, as well as the Lieutenant-Governor, that the electors of the Province would not sanction the unconstitutional policy of the Lieutenant-Governor, and would not tolerate in power the Government of Mr. Joly. It would not be long before hon. gentlemen heard of it. The hon. the Minister of Inland Revenue thought it was better to wipe out the past, and he said that no extreme Liberal in Canada had advocated communistic principles. To prove that they had done so, however, we had only to go back to the paper published by the gentleman whose name he had just mentioned—Mr. Dorion—who was then the great oracle of the Liberal section of the House. That hon. gentleman was not bashful to say in that paper of his, what his principles were. One of these principles was abolition of privileges of all kinds. There were a great many privileges in this country and in all countries. We had, for instance, the privilege of the right of property. Before the seigniorial system was done away with, many seigniors of the Province of Quebec were possessed of wealth and large property. It was thought, by a majority in that Province, that the object for which the seigniorial system had been established by their forefathers had been attained, and that the time was arrived when that system should

disappear. The Conservatives went on this ground—"These seigniors have acquired rights which must be paid for; we will not allow one single dollar of their rights to be taken from them without giving them a dollar of compensation." But the idea set forth by other hon. gentlemen in their programme was a communistic one. Hon. gentlemen, however, very soon saw that this article had better be taken out of their programme, and, in 1872, it disappeared. They believed the electors of Quebec would side with them on the great principle. They said: "We thought for a time this principle should prevail, but now that we are older and have more experience, we are of a contrary opinion; but trust us, only trust us." Hon. gentlemen had been trusted in this House for four years, and they had been weighed and found wanting. The hon. Minister of Inland Revenue went further than this, and charged his (Mr. Langevin's) side of the House with being hostile to the principles of Responsible Government. Let them go back a little, and see who were those who preceded them in the Province of Quebec. The hon. gentleman went back thirty years. He would go back forty. They had, at that time, under the union of the two Canadas, a sort of Crown Government, but they had no Responsible Government. Our forefathers, the great men, who were always respected and always would be, voted for the principles of Responsible Government; those principles might not have been so well defined or so well understood at the time, but they voted for them. And then they had the insurrection of 1837 and 1838, which was not against the Crown of England, for a more loyal people than the French, English, Scotch and Irish of Lower Canada could not be found; it was against a bureaucracy, and any interference with Responsible Government. After the union of the Canadas, they saw all those great men, the Lafontaines, Morins, Tachos and others, fighting for that same principle of Responsible Government. They thought they should not be governed by the Government without responsible Ministers, and they left office, remaining in Opposition four years,

when the principle having been organized, they returned triumphantly to their old places. Those were, therefore, the men who were then the chiefs of his (Mr. Langevin's) party, the Papineaus, Nelsons, Lafontaines, Morins, and Taches. He worked and fought with those men, and if they lived now they would be found on his side of the House. So he thought he had disposed of the charge that the Conservatives of Quebec were hostile to the principles of Responsible Government. The hon. gentleman had quoted *La Nouvelle Monde*; he had no doubt that would be found by the hon. gentleman a useful and interesting paper. He had also quoted the *Courier du Canada*, to the effect that Local elections were coming on, they had the Municipal elections, School elections, Provincial elections, Federal elections, and, in fact they were always having elections. The hon. gentleman (Mr. Laurier) found fault that this paper objected to these numerous elections, and to the many crimes, or great sins, as he called them, that were committed during these elections. Well, the hon. gentleman knew that at election time there was a great deal of drunkenness and quarrelling and other crimes, and he should recollect the Bill which the hon. Minister of Justice, a few days ago, brought down at his (Mr. Langevin's) suggestion, to eliminate from voting the facilities for fraud, and adopt the same system as was now carried out in the Province of Quebec. But once more, what had this to do with the Lieutenant-Governor of Quebec? Did it prove that Mr. Letellier was right in the course he had taken? The hon. gentleman was afraid to touch the question, and he did not want the House to take it into consideration, he did not want it to have a motion about it; he said that the adoption of the motion of his right hon. friend would be an invasion of the rights of the people. It might be very convenient for the Lieutenant-Governor of Quebec; but if he had so far forgotten his duties as to violate the great principles he was entrusted to protect, they must tell him so; they must consider the facts, of the case and say whether that

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high functionary had not violated the Constitution, and did not deserve rebuke, if not something else. The hon. gentleman said he was jealous of the constitutional rights of the Province and the great principles of Responsible Government; but how did he permit Mr. Letellier to treat those principles? The Legislature had been supporting the Government of Mr. DeBoucherville for the last two or three years. Mr. DeBoucherville had a large majority, sometimes amounting to one-third of the whole House, and the Session had been a most successful one. Just three or four days before the end of the Session the Lieutenant-Governor called on Mr. DeBoucherville, and said: "Notwithstanding your majority, I must dismiss you and have other Ministers." If this was Responsible Government the sooner it was known the better. It was a tyrannical Government, he did not think Prussia or Germany to-day would do anything of the kind; for, although the Emperor of that Empire had great power, he would not dare to do that. That act was left for the great Liberal party, that were in favour of nothing which was liberal, nothing which was in favour of the rights of the people. It was left for the hon. gentleman (Mr. Laurier) to say, "All is right, Mr. Letellier has done nothing wrong." He said that the Governor and the Federal Parliament, no matter how erring the conduct of Mr. Letellier might be, had no right to interfere, so long as there was no remedy in the local Constitution of Quebec; the remedy was in the hands of the people of Quebec. If we had no right to interfere, then the Lieutenant-Governor of Quebec was independent of all authority; there he was for five years, and might do with the Province as he thought proper. But the case was quite different. If the Lieutenant-Governor had good reason to say to his Ministers that he thought they had lost the confidence of the House and the confidence of the country, and that, therefore, he wished them to go to the people and test whether they possessed their confidence or not, he could have understood it, because in that case he would not have taken from the hands of his Ministers the constitutional right of going to the people.

If he had done that, the dissolution of the House would have been perfectly constitutional, and the people would have decided, not between Mr. Letellier and his late Ministers, but with respect to the policy of the Administration on the measures which they had introduced and carried through Parliament, and whether Mr. DeBoucherville's Government had their confidence or not. When the Legislature met again, then a vote of confidence or of non-confidence would have shown whether Mr. Letellier had been right or wrong; and, if he had been right, the Ministry would have gone out, and Mr. Letellier have called other men to advise him. But, no; that was not the position. Mr. Letellier began by dismissing his Ministers, who had the confidence of both Houses. He said: "I do not believe in those measures; I will call other men." And he called other men to his Councils to advise him; and for three, four, and five months those men, who had been all the time in a very large minority in the Legislature, would have the administration of the affairs and the expenditure of the people's money, up to July next, the supplies having been voted to them; and would have all the patronage of the Crown in our Province, although they had never had the confidence of the people, and might never have that confidence. Nevertheless, Mr. Letellier thought this fair and just, and in accordance with the great principles of Responsible Government. The hon. member for Chateauguay would not say, he felt sure, that this was in accordance with the great principles of Responsible Government. He hoped they would hear from the hon. gentleman; he hoped the hon. gentleman would not remain dumb on such a question. The hon. gentleman was one of the oldest members of this House, and they had a right to have his opinions on this subject, to know whether he approved or condemned the act of Mr. Letellier in putting aside the Legislature, and in putting aside the will of the people, the Ministry which had the support and the confidence of the country; and in taking in their place men who represented a small minority to administer the public affairs, and to control the whole

patronage of the Crown of that Province. The hon. the Minister of Inland Revenue was jealous of the great principles of Responsible Government. He (Mr. Langevin) wished him joy of his jealousy on that point. The hon. gentleman had said, on the same subject, there might be cases in which Parliament might interfere, but only when the people had not the remedy in their own hands. They were all waiting to hear what those cases were, but evidently in vain. The people of the Province of Quebec could not help themselves to-day. The Legislature had been dissolved and they must now look to new men. What right had Mr. Letellier to send away those Ministers, which the majority of the representatives of the people, and, therefore, the people themselves, had put in office? For, the true principle and practice of our institutions were that the electors elected representatives, and from those representatives the Crown took its advisers. He admitted there might be some cases when under those circumstances, a Ministry might be dismissed; for instance, in the case of Ministers who might be guilty of high treason, who used their office to destroy the Constitution, and allow the enemy to enter the country. That would be an occasion in which the Crown might and should interfere; the action might be unconstitutional, but the safety of the country was the first thing to be considered. It would be on the same principle as the suspension of the *Habeas Corpus* Act, which was the great charter of our liberties. Yet there were cases when the safety of the State required its suspension. The hon. the Minister of Inland Revenue had said that as long as there was a remedy in the hands of the people, he did not want the Crown or Parliament to interfere. He (Mr. Langevin) would put this point; he would suppose a case Mr. Letellier had dismissed his Ministers; he had called on Mr. Joly to form a new Government, which now existed. He had dissolved Parliament on the advice of Mr. Joly; the electors were now called on to vote for new men. The elections would take place on the 1st May, after which the Legislature would be called together. Mr. Joly's Min-

istry would then find itself, as he sincerely believed in a minority. Mr. Letellier, with that determination which he had shown, not to stand by the Constitution, but to violate it, would then say to his party: "Though you are in a minority of five, ten, or twenty, yet I will not submit to that; it is not a proper verdict; I will dissolve the Parliament again, and send you a second time to the electors to try to obtain a majority." Of course, according to the hon. gentleman, neither the hon. the Minister of Inland Revenue nor the hon. the First Minister would interfere. Why? Because the remedy still remained in the hands of the people; the electors were still there. How long was Mr. Letellier to play with the people, with our institutions, and with our constitution? That is the question. Once the constitution was allowed to be violated, inch by inch it would disappear, and the rights, the privileges, and the liberties of the people would go with it. A gentleman from the great Province of Ontario, with whom he had been conversing, had said to him: "Well, the remedy is in your hands. Mr. Letellier has dismissed the Government, it is true, but the electors are called upon to say whether that is proper or not." He (Mr. Langevin) told that hon. gentleman: "If this had been done in your Province by the late Lieut.-Governor Crawford; if he had dismissed his Ministers and replaced them by a Conservative Administration, how many days would you have stood it? Would you have hesitated a moment?" The great city of Toronto would have seen the yeomanry and the people of the other cities coming into it to defend the constitution. They would have said: "This is our great right, and there is not a Lieut.-Governor nor a Minister who can violate it with impunity." They would have taken the law into their own hands as a remedy. He (Mr. Langevin) did not know whether that was the remedy of which the hon. the Minister of Inland Revenue thought. In the Province of Quebec they were less fiery, perhaps, than their good friends in Ontario. Perhaps they had been accustomed at a later period by their forefathers to those great institutions of Responsible Government, and

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were more patient; but they valued them as much as did the people of Ontario, and they would not allow them to be violated by Lieut.-Governor Letellier. If the people of the Province of Quebec could not obtain justice from this House or from this Government, they would obtain it by their own strength; and let hon. gentlemen from the Province of Quebec on the other side of the House remember that the electors of that Province would soon give their views as to the shameful manner in which they had been treated by this Government. The hon. the Minister of Inland Revenue, in order to strengthen his position, went on to say that it would not be within the power of the British Parliament to interfere should the Governor-General dismiss to-day the present Government and dissolve Parliament. For the same reason that he (Mr. Langevin) condemned the act of the Lieutenant-Governor of the Province of Quebec, would he condemn an act of this kind; unless, as he had stated, there was a strong and supreme reason to justify it, one which concerned the first law, the safety of the State. To believe for a single moment that the hon. gentlemen who sat on the Treasury benches, would submit tamely to an act of this kind by any Governor-General of this country, who would dismiss them only for such reasons as Mr. Letellier had given, and that they would not appeal to the British Parliament, to Her Most Gracious Majesty, for redress, would be absurd; it would not be human nature. They would be the first to denounce the Governor-General; meeting after meeting would be called; petitions would be signed in every parish, village, concession, in every range of these parishes, and would be sent to the Queen and to the House of Commons, asking for the recall of the Governor-General who had committed such an act. However, the hon. gentleman did not thus feel just now, because that act had been committed against the rights and liberties of the Province by one of their own friends. But that was narrowing the question too much; these gentlemen should rise above party considerations of that kind. They should remember that

this was not a question of to-day alone, nor one which would affect them alone, but it was a question which would affect the future of this country. Let hon. gentlemen suppose the same thing should occur in the other Provinces. Suppose the Hon. Mr. Archibald, Lieutenant-Governor of the Province of Nova Scotia, had, under similar circumstances, dismissed his Ministry and called in another set of men of the opposite party, which was in the minority in the House of Representatives, would not they be the first to say that that Lieutenant-Governor, appointed by the late Government of Canada, had committed an outrage on the Constitution and should be recalled, and a Liberal Governor sent to replace him. Hon. gentlemen from other Provinces would feel as the majority of Quebec did, if their Provinces had been summarily treated. The people of Quebec were patient, but they knew their rights, and they wanted to hand them down to their children. For this reason they had come here to demand protection to both Houses of Parliament, to the representatives of Her Most Gracious Majesty. By that petition they had laid a great grievance before Parliament, and his right hon. friend had placed before the House the motion under consideration. This question was not a party one. Was there a censure on the hon. gentlemen opposite? No; they might have put a censure in it, had they thought proper to make it a party question. But, this motion considered only the act of the Lieutenant-Governor of Quebec, and said it was an unwise act, one destructive of the great principles of Responsible Government. If hon. gentlemen voted against it, they would thereby say that Mr. Letellier's act was a wise one, and by doing as he had done, he had acted according to the great principles of Responsible Government. It would be for such hon. gentlemen a dark day when they would have to go and explain such a vote to the electors of the Province of Quebec. The principles of the hon. the Minister of Inland Revenue were, of course, the principles of the hon. the First Minister. The First Minister spoke first, and the

Minister of Inland Revenue followed. It was quite natural that the latter should follow in the footsteps of the Minister of Public Works, under whom he acted as a Minister. But he should have remembered that before being a Minister, he was a representative of the people of the Province of Quebec; he should have remembered that he was not here to favour the First Minister's views, but to defend the Constitution of his own Province, and, by defending that Constitution and that people, he was defending the Constitutions and the people of all the Provinces. The hon. the First Minister had said he had no right to condemn the Lieutenant-Governor. If the hon. the First Minister were able to defend his late colleague, his friend whom he had appointed to preside over the Government of the Province of Quebec, would he not have done so? Yes. He was too good a friend to his friends not to defend Mr. Letellier if he could. He once said: "I always defend my officers and employes, high or low, who are under or appointed by me, until they are found guilty." If he could defend Mr. Letellier, one of the highest officers whom he could appoint, why did he not do it?

Mr. MACKENZIE: Do you call the Lieut.-Governor an employé?

Mr. LANGEVIN: I call him an employé, an officer of high position. An employé is a person employed and paid for filling an office; he may be a clerk, a stipendiary magistrate, or a police officer, or he may be a sub-chief of a department or a Lieutenant-Governor.

Mr. MACKENZIE: Or a Judge.

Mr. LANGEVIN: No. The law had made Judges independent, thank God, of hon. gentlemen opposite. Yes; he thanked God they were independent of any Government. He did not desire to insinuate that hon. gentlemen opposite were endeavouring to tamper with the judiciary of this country. If he could substantiate such a charge, he would in his place in Parliament, ask for the appointment of a Committee of investigation, and it would not be refused. But thank God, the

Judges of the Dominion are independent of the Government, and he used the term in a broad sense. The Lieut.-Governor of Quebec was not independent of the present Government at Ottawa. He was independent only so long as he remained within the limits of the Constitution; but if he violated the Constitution, it was for the Dominion Government to take the matter in hand and impeach him. The Constitution even went further, and laid down that the Lieutenant-Governor might be dismissed by the Governor General in Council, but that the causes of the dismissal must be signified to Parliament within a certain specified time. That showed the Constitution was intended to keep the Lieutenant-Governors in check, and within its bounds. Suppose the Lieutenant-Governor of Quebec determined to leave the Province for two months without obtaining leave of absence, would hon. gentlemen opposite not interfere, dismiss him, and punish him? They would not hesitate to do so, because he would have neglected to perform his duty. He would ask the hon. the Premier what he would think if His Excellency the Governor-General, who was such an admirable scholar, and used such admirable language, were to call the Ministry to account for their bad spelling and defective grammar? True, it might not be their fault, but if the Governor-General had acted on the principle that directed Mr. Letellier, hon. gentlemen opposite would not now be in power. If the Address submitted yesterday were to be criticized paragraph by paragraph, with the grammar, the Ministers, he was very much afraid, would have to resign their seats. The House could not perceive how far the Lieutenant-Governor of Quebec had proceeded of his own accord, and how far he had been badly advised, because there must have been some one behind the throne advising him. He had not done that act by himself alone. He had had irresponsible advisers to direct him. Some one had strengthened his nerves in order to enable him to dismiss his Ministers. But when he called Mr. Joly to the head of affairs, and before a new Government had been formed, the representatives of the people by a large

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majority—43 or 44 out of 65 members—declared that they had full confidence in Mr. DeBoucherville's Administration. They passed an Address to the Lieutenant-Governor, asking him to retrace his steps, and not commit the unconstitutional act that was being carried out at that moment. They went further. Mr. Joly had not been in office for an hour before the representatives of the people, assembled in the Legislature, declared that his Administration had not their confidence, and that the only men that possessed their confidence were the late Administration. But Mr. Letellier having passed the Rubicon, was bound to go forward. The Legislature had, therefore, been dissolved, and the electors were now called upon to give their decision. They had not yet ascertained how the Press and people of England viewed the question. He had no doubt, however, that if it were taken up by the great Constitutional authorities, they would declare that the act of Mr. Letellier was most unconstitutional, and such as could not be committed without his being censured and punished, that it was antagonistic to the British Constitution, that it was a violation of the Constitution of the Province of Quebec, and of their rights, privileges and liberties, and that Mr. Letellier should be condemned for attempting to take the law in his own hands, or rather for making a law for himself. He would quote a passage, a very important passage, from Bagehot, on the Constitution of England. Bagehot said:

"The Queen can hardly now refuse a defeated Minister the chance of dissolution, any more than she can dissolve in the time of an undefeated one and without his consent. And no monarch should dissolve Parliament against the will and interest of the Ministry which is in power. No doubt the King can dismiss such a Ministry and replace it by another Administration, whose advice to dissolve Parliament he should take, but even with this precaution to act thus towards a Minister which had a strong majority in Parliament, would be to strike a blow which it is almost impossible to suppose. We do not believe that Queen Victoria herself in spite of the popularity and respect by which she is surrounded, to a greater extent perhaps than any of her predecessors, would ever have recourse to such a measure. What would be thought if she should venture to reason thus: 'The Whigs are in a majority in the existing Parliament, but I think that the country would favour a Tory Administration. Let us, therefore, dissolve

Parliament, and see if the country will not elect a Parliament of opposite opinions to those which prevail in the present Parliament! What would be thought of this? No Englishman can dream even of a catastrophe of this nature, but it to them appears to belong to the phenomena of a world altogether different from that which he inhabits. In practice, in England the Sovereign considers himself obliged to follow the advice of the Ministry which the House of Commons desire to remain in power. All prerogatives at variance with this principle have fallen into disuse, but the Sovereign may accord to the Ministry the opportunity of securing by an appeal to the people a majority which is denied it in the House of Commons; but to strike from behind, so to speak, and strangle by means of an appeal to the country, a Ministry sustained by Parliament, would be an event which no longer enters into the calculation, although in former instances of this occurred in our annals."

Mr. Bagehot asked what would be thought if the Queen or King was to reason in this manner: "The Whigs have a majority in the present Parliament, but I believe the country is favourable to the Tories. I will dismiss the Whig Ministry, choose a Tory Ministry, and, afterwards, dissolve Parliament to ascertain whether the people will not elect a Parliament holding contrary opinions to the present Parliament." That was exactly what Mr. Letellier had done. He had not found the Whigs in power with a majority in the Legislature, but the Conservatives in that position. The Lieutenant-Governor said to himself: "The people are favourable to the Liberals, I will therefore dismiss my Ministers; I will choose a Liberal Administration, and then I will dissolve the Legislature in order to ascertain whether the Province will not return a Legislature holding opinions contrary to those of the present Legislature." That was condemned by the best constitutional authorities. He would also read an extract from Lord Brougham's speech in the debate on the late Melbourne Administration. Lord Brougham said:

"The noble duke asks, however, 'were not other persons, as well as Lord Grey, to judge of the effects of Lord Althorpe's removal—was the King himself not to judge? I am perfectly ready to meet the noble duke on the point involved in that observation; it is indeed, my Lords, one essential to the present question—I mean the nature of the Crown's prerogative of choosing and changing its servants. It is the undoubted, the unquestioned power of the Crown to do so: that I set out with; but let us examine what is the meaning of this proposition, in order to apply it, and let us see how

that prerogative is founded, in order to perceive how it is limited. In every State the public service must be provided for, and officers must be appointed by some one. Our constitution—that of a limited and hereditary monarchy—will not allow the principle, generally speaking, of election, either as regards the highest office of all, or as regards the inferior offices of the Ministry; descent provides for the one, selection for the other; and accordingly, in some one power of the State, the nomination to those offices must be vested. In whom is it vested? In the King. But it is a power exercised for the good of the people. It is not to be dealt with capriciously—it is not to be used as an amusement—it is not to be played with—not to be employed as a man would the power which he has of sending off one servant without notice, to gratify his own whims, and choosing another. A man might exercise this power of arbitrary dismissal if he pleased, and he would be the worst served; he would be the loser; but he alone would be the injured party; his interest alone would suffer. But the King holds the power in question, not for his own gratification—not at all for his own purposes. It is not he that is to be injured or to be benefitted by the exercise of it. He is not a party to the risk—he is not a party to the gain or the loss attendant on the exercise of the power—he is a trustee—he is himself a public servant—he is appointed and empowered for the benefit of his people. The trust which he exercises is wholly for their sake. It is not because some one should say, 'Turn out this person and get another,' that his power is to be therefore put in operation. He is not to place and displace his servants because somebody may say, 'Lord this is better than Lord that,' or because somebody else may cry, 'Oh, do turn out these men, and just let us have the Duke again.' That is not the theory of the Constitution—that is not the condition on which the power exists—that is not the tenure by which the power is holden. So long as this power is exercised as it ought to be, it will be safely holden; and no one would think of questioning its foundation, or objecting to its existence, or of wishing to restrict it; but it must be exercised soundly, publicly, and on stateable grounds. No Sovereign of this country has a right by the Constitution—(and your lordships will be pleased to observe that, in speaking of the Sovereign, I speak, of course, only of his advisers, using his name merely to avoid circumlocution, and, in reference to the present occasion, be it always remembered that those who succeeded my noble friend were, in point of fact, and of constitutional law, the advisers of the Crown, as I have already shown)—the Sovereign, I say, has no right—by the Constitution it is illegal—it is prohibited to the Crown—it is a wrong, an unlawful, a criminal act—to exercise that high function of dismissing its Ministers and choosing others, unless on grounds capable of being stated and defended.

That was as strong language as could be found to have been used on any question that had come before Parliament; and it might almost be thought that this speech of Lord Brougham had been prepared for delivery on this

occasion. Mr. Letellier had no right to take the action he did. He had even acknowledged that the Constitution did not give him that right; on the contrary, he was bound to keep his Ministers and abide by the decision of the electors. If he thought his Ministers had lost the confidence of the Province, after having been three years in office, though they had a large majority in the Legislature, he might say so to them, and send them back to the people. They would have had a chance of explaining their position to the public and the electors, who would have then decided whether this minority had their confidence or not. But no. His Honour the Lieut.-Governor of the Province of Quebec said: "No; I will bring my own friends into power, though they number only 22 or 21 in the House out of 65; I will give them power and patronage, and all the influence that the use of patronage can give them, and office and titles, and the opportunity of electing a majority for themselves, though the present majority in the House is in favour of another Government; I want a Liberal majority in the new House." His Honour had no right to do that, and this was the reason why they said the Lieut.-Governor had violated the principles of our Constitution. When Fox died, what was done? Lord Brougham gave them this example to show what respect they had in England, and what respect we should have for the great principles of Responsible Government:—

"Mr. Fox died on the 13th of September, 1806, there being ample notice of his approaching end for two months before, in consequence of the operation he was obliged to undergo. There was no hurry, neither public nor secret advisers, nor illustrious dukes were taken by surprise. Did His Majesty, then, on the 14th of September, on the death of Mr. Fox, act as his present Majesty on the 14th of November last was advised to do on the death of Earl Spencer? Did those great statesmen who counselled George III.—experienced, sage, eminent and discreet men as they were—so well versed in the theory and practice of the Constitution, so skilled withal in the arts of Cabinet-making,—ever think of advising him, because Mr. Fox was dead, instantly to turn out the Whig Administration? No such thing; no such advice was given: the Ministers were allowed to remain in office till the end of March following; not from any want of inclination to turn them out: on the contrary,

there was every inclination, steadily, unremittently, uninterruptedly manifested to employ any opportunity that could be taken advantage of for dismissing them; but they were allowed to remain in office six months longer, because the Constitution would not allow them to be turned out without some assignable cause. Nay, the King even allowed them to dissolve the Parliament after the death of Mr. Fox; although he very plainly must have foreseen that a second dissolution would thus be soon rendered necessary, and he only removed them in March, when the Catholic question occurred to create a disagreement."

So the great principles of the Constitution of England and of our Constitution in this particular were well understood in England and by all their statesmen, and by all those who had made a study of constitutional law. He must say that these great principles must be understood by the hon. gentlemen on the Treasury benches and the hon. the First Minister, because the hon. gentleman had not had the courage to say that Mr. Letellier was right. If the hon. gentleman had thought that Mr. Letellier was right, he would not hesitate a moment to say so; but, in order that hon. gentlemen might not have to condemn his friends and injure the Joly Government in their elections in the Province of Quebec, the hon. gentleman said he was not there either to defend or condemn the Lieutenant-Governor of the Province of Quebec. This was not conduct worthy of the position of the hon. gentleman. The question of partizanship should not be considered under the circumstances. The great principles of our Constitution should alone be what should be defended, and alone be what should have the attention at the present moment of the hon. gentlemen who sat on the Treasury benches. These hon. gentlemen should say: "Although Mr. Letellier had been a colleague of ours, although he was a Liberal Minister, and although he is a Liberal Lieutenant-Governor, nevertheless he has committed an act which is censurable and which must be condemned and punished, and though he has to be condemned and punished he shall not be allowed to violate the Constitution." The Lieutenant-Governor of the Province of Quebec dismissed his Ministers by a letter dated the 1st of March, 1879, the last paragraph of which was as follows:—

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"For all these reasons, therefore, the Lieutenant-Governor cannot conclude this memorandum without expressing to the Premier the regret he feels in being no longer able to retain him in his position, contrary to the rights and prerogatives of the Crown."

The Lieutenant-Governor, when he dismissed his Ministers, gave them his reasons in this letter. These reasons were few in number. Some of them were very futile, and all of them had been refuted by his late Ministers; first, by the Hon. Mr. Angers, and subsequently in a letter transmitted to the Governor-General, which was before the House. In this letter the Hon. Mr. DeBoucherville defended his position, and showed how His Honour the Lieutenant-Governor was mistaken, to use no stronger word, as to the reasons he gave, not on the 1st of March, 1878, when he dismissed his Ministers, but in another letter which His Honour addressed to the Governor-General, eighteen days afterwards, on the 19th March, 1878. His Honour had recovered his senses a little by this time; he saw the indignation which his rash act had aroused from one end of the country to the other, and that this feeling of indignation was not confined to the Province of Quebec, but extended from one end of the Dominion to the other, being condemned by all who were not blinded by their partizan views. His Honour found that the reasons he gave and laid before the Legislature of the Province of Quebec would not hold water; and, consequently, he had to find new views and new reasons in order to prep up his previous document which he had laid before the public; therefore, on the 19th of March, eighteen days afterwards, His Honour wrote to the Governor-General a letter, in which he gave a number of additional reasons as having determined him to dismiss his Ministers. But all this was an after-thought. No doubt Mr. Joly and his colleagues found that the document by which His Honour had dismissed his Ministers was so weak and feeble that they could not go to the country on the strength of it. They were afraid that this document, coming before this House and before His Excellency the Governor-General, would not allow this Administration to keep Mr. Letellier in office; and,

therefore, no doubt, they advised His Honour the Lieutenant-Governor to strengthen his position; and one could see, from this fact, that these Ministers said to the Lieutenant-Governor: "Now, Your Honor, do not be uneasy; only give us a little time, and we will arrange matters for you and prepare such a fine legal paper that will strengthen your position and enable you to stand well with the Ministers at Ottawa, so that they will have no reason to condemn you, and that we may have a platform to go upon to the country." This was why this letter of the 19th of March was written to His Excellency the Governor-General. He believed that it was laid before the House on the 26th or 27th of March, and as soon as Mr. DeBoucherville saw it, he addressed to the Governor-General a paper, dated Ottawa, 2nd of April, and in it Mr. DeBoucherville met step by step all the allegations, all the affirmations and all the charges made by the Lieutenant-Governor, or by his advisers for him, but to which His Honour put his signature. This document was rather lengthy, and he (Mr. Langevin) must be excused by the House, if he considered it for a few moments. The first document to be considered was the first letter of Mr. Letellier to his Ministers, dated the 1st of March, in which His Honour re-affirmed and brought against them the charge of overlooking the prerogatives of the Crown. What did His Honour say in his letter? He stated:—

"The Lieutenant-Governor, taking into consideration the communication made to him verbally (on the 27th February) by the Premier, and also taking into consideration the letter which the Premier then gave to him, is prepared to admit that there had been no intention on the part of the Premier to slight the prerogatives of the Crown, and that there was only on his part an error, committed in good faith, in the interpretation that he gave to words used by the Lieutenant-Governor, in the interview which they had on the 19th February instant."

If there was only an error committed by the Government, and if the Lieutenant-Governor looked upon this act as one which could be overlooked, and as he had in reality overlooked it, why should any further notice be taken of it? Continuing on the same subject His Honour stated:—

"With this interpretation and the instructions given in consequence by the Premier to the Hon. Messrs. Angers and Church, these gentlemen did not, wittingly, do anything against the duties of their office."

If an error was committed, surely this error was not such an one as to require the dismissal of the Ministry. Besides, His Honour forgot that he had condoned it; he said that there was no desire, no intention of committing this error. It was committed, but in the same way as that poor word was placed in the infinitive instead of in a tense in another mood. Surely this error was not a crime. But, no; His Honour held to his position and declared that this error, though simply an error, and though he had forgiven it, was a crime; and that for these great crimes and misdemeanors his Ministers must go out of office. Farther on, the Lieutenant Governor made the following complaint:—

"From time to time, since the last Session of the Legislature, the Lieutenant-Governor has drawn the attention of the Premier to several subjects regarding the interests of the Province of Quebec, among others: 1st. The enormous expenditure occasioned by very large subsidies to several railways while the Province was burdened with the construction of the great railway from Quebec to Ottawa, which should take precedence of the others; and this, when the state of our finances obliged us to undertake loans disproportioned to our revenue."

How did Mr. DeBoucherville meet this complaint? He said that those laws respecting these railways were passed by a previous Administration; that he, therefore, was only carrying out measures passed by another Government; that, while he was in office, and since, Mr. Letellier had been Lieutenant-Governor, the DeBoucherville Government had not added one dollar to the expenses of the country with regard to railway construction; and that, therefore, His Honour could not properly bring this forward as an excuse for the dismissal of his Ministers on the ground of their having incurred enormous expenditure, owing to the granting of very large subsidies towards several railways undertaken in the Province, besides the building of the great railway to Ottawa. All these subsidies had been voted by the previous Government and House prior to the appointment of Mr. Letellier as Lieutenant-Governor, and

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therefore His Honour could not complain of his Ministers in this connection. His Honour had kept them in office for a year and a half, while Lieutenant-Governor and, during that period, he had not complained of this; these laws were passed previous to his appointment, and, therefore, His Honour could not bring them up now against this Ministry. But this was only in keeping with the second complaint of the Lieutenant-Governor. His Honour frequently complained as to the necessity of reducing the expenses, and said that he had directed the attention of his Ministers to the necessity for reducing the expenses of civil government and legislation, without having recourse to new taxes, in order to thus avoid financial embarrassment. The law with respect to the increase of the salaries of the Civil servants was, however, passed two years previously, in 1876; and how could His Honour complain of this when the Government was only carrying a law passed in 1876, in effect, a year before His Honour became Lieutenant-Governor? Were his Ministers not to obey the law? The law was there; it was not devised for the Civil Service alone. It was also made for the masses. It had to be obeyed by the Ministers and by Mr. Letellier himself, no matter how high his position was, because Mr. Letellier must understand that the law was for everybody; and that he could not, though he had tried it, place his personality and power and will, over and above the law of the country. The De Boucherville Government had the right, and they were bound to see that this law was executed, and to use the words of his hon. friend (Mr. Masson), it was none of Mr. Letellier's business, if the Legislature of the Province of Quebec thought proper to give 10, 15, 20, or 50 per cent. more to the Civil servants. This money was not Mr. Letellier's money, it was not the money of the Crown, but the money of the people; and if the people thought proper to vote their money and to give it in this way to the Civil servants of the Crown, the Crown had only to thank the people for their liberality and generosity, and to execute the law that had been passed. If the Crown could set aside the laws passed by both Houses of Parliament, then our Responsible Govern-

ment and Constitution would come to nothing, because the Crown alone would rule the country. But the old constitutional authorities said that the law was made not only for the Commons, not only for the House of Lords, but the law was made for the Sovereign himself. Queen Victoria, our most gracious Queen, had shown, during her long and glorious reign of over forty years, that she understood the great principles of our Constitution. The will of the people, as expressed by their representatives, had always been respected. Whenever votes of money had been given by the people through Parliament, the Queen had been most thankful to her faithful Commons, and it was left for Mr. Letellier to do other wise, and violate the Constitution of the country.

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

**After Recess.**

PRIVATE BILL.

THIRD READING.

The following Bill was read the third time and passed:—

(No. 7.)—Respecting the Ontario Express and Transportation Company.—(Mr. *Oliver*.)

VICTORIA ELIZABETH LYON DIVORCE BILL.—[BILL No. 74.]

(Mr. *Cameron*.)

SECOND READING.

Order for second reading read.

Motion agreed to on the following division:—

YEAS :  
Messieurs

Archibald,	Kirk,
Bain,	Kirkpatrick,
Bertram,	Little,
Biggar,	McDougall (S. Renfrew)
Bain,	McKay (Colchester),
Borden,	Mackenzie,
Borron,	Macmillan,
Bowman,	McCallum,
Brouse,	McCraney,
Buell,	McGregor,
Cameron,	Metcalfe,
Campbell,	Mitchell,
Carmichael,	Mouteith,
Church,	Oliver,
Cook,	Orton,

Dymond,	Paterson,
Farrow,	Pettes,
Ferguson,	Pickard,
Ferris,	Ross (West Middlesex),
Fleming,	Ross (Prince Edward),
Fisher,	Schultz,
Fraser,	Scriver,
Galbraith,	Sinclair,
Gibbs (North Ontario),	Snider,
Gibbs (South Ontario),	Thompson (Cariboo),
Gillies,	Trow,
Goudge,	Wallace (Albert),
Guthrie,	White (East Hastings),
Higinbotham,	Wright (Pontiac),
Kerr,	Young.—60.

NAYS :  
Messieurs

Baby,	Jetté,
Bécharde,	Jones (Halifax),
Bernier,	Laflamme,
Bourassa,	Lajoie,
Bourbeau,	Langvin,
Brown,	Lanthier,
Caron,	Laurier,
Casgrain,	Macdonald (Cornwall),
Cheval,	McDonald (Cape Breton),
Cimou,	McDougall (Three Rivers),
Costigan,	Malouin,
Cuthbert,	Masson,
Delorme,	Méthot,
Desjardins,	Montplaisir,
De St Georges,	Pinsonneault,
De Veber,	Pouliot,
Devlin,	Robitaille,
Dugas,	Short,
Fiset,	Smith (Peel),
Geoffrion,	Smith (Westmoreland),
Gibson,	St. Jean,
Gill,	Taschereau,
Harwood,	Wade.—48.
Hurteau,	
Irving,	

THE QUEBEC CRISIS.

Mr. LANGEVIN said before Recess it was his intention to call the attention of the House to the memorandum or letter addressed by Mr. DeBoucher-ville, the late First Minister of the Province of Quebec, to His Excellency the Governor-General, refuting the charges made against him by the Lieutenant-Governor. The first of these charges made by Mr. Letellier in his second memorandum, was as follows:—

“During the Session of 1876, a Bill had been read three times in one of the two branches of the Legislature, and only twice in the other. This Bill, bearing all the certificates which were necessary to induce me to believe that it had been regularly passed and adopted, was submitted to me by the Premier for my sanction. In consequence of being left in ignorance of these facts by my advisers, I sanctioned the Bill. Not long afterwards I was informed of the irregularity, and I immediately spoke of it to the Premier. I made the observation that such an Act would entail

too serious consequences to allow of its being passed over. As a favor to him, however, I passed over this instance of irregular legislation, which was then irreparable.<sup>3</sup>

Mr. DeBoucherville answered this charge by stating that the Bill was passed three times in the regular way; but it had been sent to the Lower House or Legislative Assembly, and was passed there twice at the end of the Session. The Clerk marked by mistake on the back of it, that it had been read three times and passed, and it was sent back, amongst other Bills, to the Upper House. Along with others, it was then forwarded to the Lieutenant-Governor and signed. After it had received the Lieutenant-Governor's assent, the Hon. Mr. Angers found that the Bill had only been passed twice in the Lower House, and Mr. DeBoucherville having called the attention of the Lieutenant-Governor to the matter, it was referred to the then Minister of Justice here, the hon. member for North Bruce, with the intention of having the Bill disallowed. The Minister of Justice reported that it was blank paper, and it was not, in consequence, inserted in the Statutes, so that no harm was done. He (Mr. Langevin) must say that this was a very poor charge for Mr. Letellier to bring against his Ministers, and there was no reason why they should have been dismissed on so slight a pretext. He would ask the hon. the First Minister and his colleagues if it would be right for the Governor-General to dismiss his Ministry because a mistake had been made by a clerk without their connivance. So much for the first charge. The second charge was, that, during the same Session, another Bill was submitted to the Lieutenant-Governor for his sanction, and, on examining it, he found there was a blank which had not been filled up. In a letter to the Premier the Lieutenant-Governor pointed out the omission, and also pointed out that a certain word was in the infinitive mood. When this second charge was read by outsiders, what would they think of a Lieutenant-Governor of Quebec who complained that, in a Bill passed by the Legislative Assembly and Council of Quebec, a blank was left, which omission was corrected by another

Bill? Yet, though both these Bills were sanctioned by the Lieutenant-Governor, he brought forward these charges as an excuse for dismissing his Ministers. If hon. members looked into the Statute-book, they would find that, more than once, Bills passed during a Session have been amended during the same Session. What ground, then, had Mr. Letellier, to dismiss his Ministry? If this House were of opinion that the Lieutenant-Governor had acted rightly, posterity would give a very different verdict. The next charge was with reference to the appointment of a new Municipal Councillor for the South Ward of the village of Montmagny. Now, it appeared that, on a recommendation of the Attorney-General, it was decided to make the appointment. But, what were the facts? A municipal election having been contested, it was decided by the Court of Justice that a new election should take place. A day was fixed, and a gentleman appointed by the Court to preside over the election. As, however, that gentleman afterwards refused to preside, for want of the notices required by law, another person was, by the vote of a meeting, put in his place, and a new Councillor selected. The person originally appointed by the Court to preside over the meeting wrote to the Lieutenant-Governor, stating that the election was null and void, because the formalities required had not been attended to. A report was then prepared by the Attorney-General, and sent to the Lieutenant-Governor, who appointed a Municipal Councillor. After this there was a quarrel in the Municipal Council; and the Lieutenant-Governor becoming alarmed that there would be a breach of the peace, gave instructions that the appointment should be recalled. The Attorney-General was appealed to, and he said the advice he had given should not, in his opinion, be changed, because it was the advice which, under the law, he ought to give. Nevertheless, as the Lieut.-Governor insisted so strongly, the First Minister and his colleagues said "Very well we will give away," and so an Order in Council was passed recalling the appointment. Now, although Mr. Letellier's wishes were acceded to in

this matter, he brought forward this charge as a reason for dismissing the Ministry. Was that proper, was that worthy of his position? But still another charge was made against Mr. DeBoucherville. Mr. Letellier said:—

“On the 19th March, 1877, being on the eve of absenting myself for a few days, I wrote to the Hon. Mr. Chapleau, and in a postscript I said: Please oblige me by telling the Premier that if he needs my concurrence, Mr. Gauthier may bring down to me the documents requiring my signature. Mr. DeBoucherville should have understood from that, that if I was ready to give him my concurrence, it was on condition of having all documents submitted to me before signing them.”

Mr. DeBoucherville showed by comparing dates, that this postscript related to the Montmagny election case, and that evidently Mr. Letellier's memory here again was at fault. This charge, therefore, fell through, and disappeared like snow before the rays of the sun. It was not worth mentioning. The fifth charge brought against his advisers was as follows:—

“Under date of the 6th of November last, I addressed to the Honourable M. DeBoucher ville the letter, of which the following is a copy:

“(Private.)

“QUEBEC, 6th Nov 1877.

“THE HON. C. B. DEBOUCHERVILLE,  
“Premier.”

“MY DEAR DEBOUCHERVILLE,—In the last *Official Gazette* were published, over my signature, two Proclamations which I had not signed.

“One was for the summoning of Parliament, which I reserved in order to confer with you; the other, which I did not even see, appoints a day of Thanksgiving.

“These proceedings, the nature of which I shall not characterize, are productive, apart from their impropriety, of nullities which you will easily understand.”

“Yours very truly

“(Signed) LETELLIER.”

It appeared to him (Mr. Langevin) that the Lieut.-Governor of the Province of Quebec had no legitimate grounds for making this statement. The proclamation summoning the Legislature was not published until the 24th November; the proclamation of the 6th November was purely and simply to prorogue Parliament to another day. This document surely could not have been written by the Lieut.-Governor; it had been written

by some one else, and the Lieutenant-Governor, with the greatest confidence, had put his name to it. In it, he accused his advisers of haste, and stated that they called Parliament together for the dispatch of business without his sanction, on the 6th November; but it appeared the proclamation of that date was not calling Parliament together at all; it was the ordinary formal proclamation, and was signed by the Lieutenant-Governor himself. And now about the proclamation for a Thanksgiving Day. The Lieutenant-Governor says that one proclamation was put in without being signed by him, and the other, which he did not even see, appointed a day of Thanksgiving. But Mr. DeBoucherville answered thus:—

“As to the proclamation fixing a day of Thanksgiving I have to remark that this was the result of a communication from the Premier of Canada, the Honourable Alexander Mackenzie, to the Lieutenant-Governor, and handed to me by His Honour with the request that I would carry out the suggestion. It will appear sufficiently strange under these circumstances, that I should be accused of acting without his knowledge, even if the clerical duty of obtaining his signature had been omitted. I am informed, however, that in this case also, the Order in Council, as well as the proclamation, were signed by His Honour, and are of record, bearing his signature, in the office of the proper officer.”

Thus it appeared that the Lieutenant-Governor received a communication from the Government of Canada suggesting a day to be fixed for Thanksgiving Day, and when he read that communication he called in his First Minister and requested him to carry out the suggestion; and yet he said it was done without his consent, while the documents with his actual signature were now in the hands of the proper officer. How was this to be accounted for? The Lieutenant-Governor had evidently forgotten all about this matter, or this document had been drawn up by a stranger, and Mr. Letellier had, with the fullest confidence, put his signature to it. He had no doubt that by this time the Lieutenant-Governor had found out that it would have been better for him to keep his own Cabinet around him, and to be advised by them.

MR. DEVLIN said he was sure the hon. gentleman must be mistaken

as to the wisdom of His Honour keeping the old Cabinet.

Mr. **LANGEVIN** said there was another accusation against Mr. Letellier's Ministers brought forward by the Lieutenant-Governor. Indeed, he did not know where they would find an end of these charges. This was how Mr. Letellier spoke:—

"But my Lord, there is another point still more important, which I cannot any longer refrain from mentioning.

"From the conversation which I have held with Mr. DeBoucherville, there results a fact, which, if it were known, would of itself have sufficiently justified me in believing that he did not possess the confidence of the people of this Province."

Now, what confidence could there be between the Ministers and the Governor, if those conversations between the ruler and his advisers were to be brought before the public in this manner? It had been thought these conversations were privileged and could not be made use of by the Lieutenant-Governor against the Ministers, or by the Ministers against the Lieutenant-Governor. But it was because Mr. Letellier had placed himself in a false position that, after months and months, he must needs bring up these private conversations. Those who held official positions, such as the Minister of Inland Revenue, could best decide whether Mr. Letellier was right in making such conversations public; and if they could be brought up at any time, then there could and would be no such thing as confidence between the Ministry and the Governor. However, Mr. Letellier inferred, from this conversation he had with Mr. DeBoucherville, that Mr. DeBoucherville had not the confidence of the people of the Province. The Legislature was then sitting, both Houses sustained Mr. DeBoucherville's Government, and upon various measures there were majorities of from 15, 18, 20, and 25 out of a House of 65; and yet Mr. Letellier said the Ministry had not the confidence of the country. Even if they had not the confidence of the country, Mr. Letellier had no right to take such a course, he had no right to infringe upon the rights of the people. He (Mr. Langevin) would like to go on with the charges, but he

did not wish to fatigue the House. He had shown to the House that Mr. Letellier was amenable to Parliament; that he violated the great principles of our Constitution; that he had trampled on the liberties, the rights and privileges of the people; that the will of the people, as expressed by their representatives in Parliament, had been overlooked and set aside by him. He, therefore, had only now to express his deep and sincere regret that it was a Liberal, a French-Canadian, a Liberal Lieutenant-Governor, who had violated the Constitution that had been given by the Mother Country, and under which we were so proud and happy to live. He for one, belonging to the same race to which Mr. Letellier belonged, must say that it deeply pained him to think that, despite all he could say or do, despite all the motions that might be passed by the House, or this Parliament, the act of the Lieutenant-Governor of the Province of Quebec, of that Liberal Lieutenant-Governor, of that French-Canadian Lieutenant-Governor, could not be destroyed. That act must remain on record for all time to come, that violation must remain there, the name of that Lieutenant-Governor must go down in the history of the Province, in the history of this Dominion, accompanied, with what? Mr. Letellier knew the history of the Province of Quebec. He should have remembered the history of its struggles; he should not have forgotten what happened previous to 1837. He knew enough of the history of Lower Canada to remember the venerated names of Papineau, Viger, Nelson, Panet, Bedard, Bourdages, Vallière,—names which were registered in our history with veneration, names which our people never pronounced without the greatest respect. But Mr. Letellier had forgotten all that; he had forgotten that, for forty years, our forefathers had fought against the bureaucracy which had weighed upon them. He had forgotten those troubles, and that those men had refused place, honour and emoluments. Why? In order to stand by the rights, the privileges and the liberties of the people. Mr. Letellier, a French Canadian, one of his (Mr. Langevin's) race, had forgotten the former Governors of the

Province of Quebec, under the French and English régimes, and that he was bound, as their successor, not to act as a tyrant, but to take, as many of them had done, the part of the people, and protect the charter of their liberties. He should have remembered that the names of Haldimand and Craig, Governors of Lower Canada, had gone down in history, accompanied with the execration of the people, because they had trampled on their liberties and had tried to destroy the rights and privileges of the people. One of them acted against all law, against the Constitution of the country; he put aside the guarantees the people had for their liberties, and imprisoned some of our best men. He (Mr. Langevin) remembered that one of his ancestors had been imprisoned in one of those dungeons for nearly two years. They had been imprisoned on the pretext of treason, of plotting against the King of England. This happened in 1810; but after the lapse of two years, in 1812, our neighbours across the line were in arms. The Governor then found that his (Mr. Langevin's) ancestor, and the others who had been imprisoned on the ground of treason, were good and loyal men enough to give them guns to fight the battles of our country. They went to the frontier, they defended our country, and they never remembered the harsh, cruel treatment they had received. Mr. Letellier should have remembered these things, and should not have followed the example of Craig and Haldimand, and not have allowed his name to go down to posterity coupled with theirs. Unfortunately, he could not help himself to-day; his name would be coupled with those names, and history would say that in 1878 Lower Canada found another Craig; but that, when the vote of the people was taken on the 1st of May, 1878, they dismissed that Craig, and sent him where Craigs should go. The hon. the Lieutenant-Governor of the Province of Quebec should have remembered another thing. He should have remembered that, after the union of the Canadas, the patriots of those days, the Lafontaines, the Tachés, the Morins, the Nelsons, the Cartiers, and others, did

not hesitate for a moment to say to the Governor, when he would not recognize the great principles of the Constitution, "We leave you our portfolios, take our offices, our emoluments; we go into Opposition, we go again as our forefathers did, to fight the battles of our country, to defend our people's liberties." They were four years in Opposition, after which Lafontaine and Baldwin came into power and governed the country in accordance with the great principles of our Constitution. But between those two periods, the period when our forefathers were fighting, previous to 1837, the battles of our country in the halls of Parliament, and the period when Lafontaine, Morin, Nelson, Cartier, and others, were doing the same in Parliament under the union of the Canadas, another period intervened. Mr. Letellier knew of this period. His respected father had been fighting those battles as well. He should have remembered that his respected father would not have approved of his conduct. But if all that were not enough, the hon. the Lieutenant-Governor of the Province of Quebec should have remembered that in 1837 and 1838, the blood of eleven of his compatriots, Duquet, Decoigne, Robert, the two Sanguinets, Cardinal, Hamelin, Narbonne, Nicolas, Douais and DeLorimier had been shed on the scaffold for the liberties of their country. They had fought, not against the Queen, but against those men who were trying to crush their liberties, to prevent the large majority of the people from having any share in public affairs. They had fought against that minority which Mr. Letellier had put in office at Quebec, and who wanted to crush the people of that Province. That minority, when in office under those Governors, would not allow the people to have any voice in the affairs of their own country. The supplies were refused, but those men took the people's money without the sanction of a vote from their representatives. The people considered the last resource left them as British subjects, was to fight that minority. Once more, they did not take up arms against our Most Gracious Queen, but they took them against those leeches that were destroying their liberties. He (Mr. Lan-

gevin) would quote what one of those men who had perished on the scaffold, DeLorimier, had said previous to his execution. He was sorry he could not quote the words in English. Here was the quotation:—

“ Je meurs sans remords. Je ne désirais que le bien de mon pays dans l'insurrection, et son indépendance; mes vœux et mes actions étaient sincères, n'ont été entachés d'aucuns crimes qui déshonorent l'humanité et qui ne sont que trop communs dans l'effervescence des passions déchainées. Depuis dix-sept ou dix-huit ans, j'ai pris une part active dans presque toutes les mesures populaires, et toujours avec conviction et sincérité. Mes efforts ont été pour l'indépendance de mes compatriotes. Nous avons été malheureux jusqu'à ce jour. La mort a déjà décimé plusieurs de mes collaborateurs. Beaucoup sont dans les fers, un plus grand nombre sur la terre de l'exil, avec leurs propriétés détruites et leurs familles abandonnées—sans ressources—à la rigueur des froids d'un hiver canadien. Malgré tant d'infortunes, mon cœur entretient son courage et des espérances pour l'avenir. Mes amis et mes enfants verront de meilleurs jours; ils seront libres, un pressentiment certain, ma conscience tranquille me l'assure—voilà ce qui me remplit de joie, lorsque tout n'est que désolation et douleur autour de moi. Les plaies de mon pays se cicatriseront; après les malheurs de l'anarchie et d'une révolution sanglante, le paisible canadien verra renaître le bonheur et la liberté sur le St. Laurent. Tout concourt à ce but, les exécutions mêmes. Le sang et les larmes versées sur l'autel de la patrie arrosent aujourd'hui les racines de l'arbre que fera flotter le drapeau marqué des deux étoiles des Canadas.

“ Quant à vous, mes compatriotes, puisse mon exécution et celle de mes compagnons d'infortune vous être utile. Je n'ai plus que quelques heures à vivre, mais j'ai voulu partager mon temps entre mes devoirs religieux et mes devoirs envers mes compatriotes. Pour eux je meurs sur le gibet, de la mort infâme du meurtrier; pour eux je me sépare de mes jeunes enfants, de mon épouse chérie, sans autre appui que mon industrie; et pour eux je meurs en m'écriant: Vive la liberté! Vive l'indépendance.”

Mr. Letellier must have forgotten the great labours and sacrifices of these men, their life-blood shed for their country. He should have remembered that that blood which flowed in his veins was the blood of the best men of our Province, men who were recognized, even by Lord Durham, as men who had a just cause and fought for their country. Mr. Letellier had forgotten all that, and his name would not go down to posterity venerated, but would go down attached to this great event, as that of a traitor to his race, a traitor to our liberties, a traitor to our beloved country.

MR. LANGEVIN.

MR. JETTÉ said that, in rising to offer a few remarks on the resolution now under consideration, he could not fail to remember that the right hon. mover of that resolution had stated that he offered it in no party spirit, and without being moved by party interest. He would, therefore, try not to follow the example of some of the speakers who had preceded him, and discuss this very important question in the spirit in which it had been moved. The hon. member for Sherbrooke (Mr. Brooks) had said that this question was of special importance to those who, like him, represented in this House the English minority of the Province of Quebec. But it was still more important to those who, like himself (Mr. Jetté), represented the French minority in the Dominion of Canada. The rights of the English minority in Quebec had been protected and assured by the terms of the Constitution. Those guarantees which had been asked by the English-speaking population of the Province of Quebec, had been granted them, not as a favour, but as a right: and, as the hon. member for Sherbrooke had acknowledged, no attempt had ever been made to deprive them of those rights. It was a fact of which French Canadians could be proud—that they had never shown any illiberality towards any other race or creed. In this connection, he might mention that for years past it was a well-established and known fact that members speaking the English language had been frequently returned by French-speaking constituents, without any objection as to their creed or nationality. He believed, therefore, the rights and privileges of the English-speaking minority in Quebec were safe. But the rights and privileges of the French minority in the Dominion, might, by this resolution, be impaired, according to the view taken by the House. Up to the present, the line of argument taken by the right hon. mover of the resolution had been closely followed by all the speakers on the other side. He found no fault with the interpretation given by the right hon. member to our Constitution, because it was well known that when the Constitution was under discussion, he was



not in favour of the Federal system, but of a Legislative Union. The remarks he had offered followed in the same strain, and would probably lead to the same result, if adopted, namely, to destroy our Federal Constitution and to substitute a Legislative Union. But if the right hon. member for Kingston was logical in so arguing, he (Mr. Jetté) was surprised to see the hon. members from the Province of Quebec take the same view, and to find that the speeches of all the hon. gentlemen opposite had tended to demonstrate the fact established by the right hon. member for Kingston, that, according to the principles of the British Constitution, the act of Governor Letellier could not be defended; that this House had a right to pass a condemnation on it, and that it was justly called to pass an opinion on and to condemn that act. It had been shown that the British Constitution for centuries past was improving every day; that the rights of the people had been increased and the rights of the Crown diminished, and from this starting point the speakers on the other side of the House had come to the conclusion that Parliament had the same powers as were possessed by the House of Commons in England, and stood in the same position towards the Provinces as the British House of Commons did towards the Colonies. The hon. the Premier had taken exception to that view, and he (Mr. Jetté) believed the exception was well taken. Our Constitution was not that of England; it was a limited Constitution, a written Constitution, contained in the British North America Act, not one that had been created by time and precedents. It was a treaty accepted by the different Provinces that agreed upon it; a treaty which was afterwards confirmed by the British Parliament. It was a limited Constitution and we could not go outside of it, but must accept it as we received it. To well appreciate and understand that Constitution we must carry ourselves back to the time when it was accepted by this country. It would be remembered especially by members of the old Parliament of Canada that in 1865 and for years previous, great difficulties had occurred in the government of

the two Provinces of Canada. A great question was discussed, not only in Parliament, but at the polls, namely that of representation by population, which received the approval of the immense majority of the electors in Ontario, while those of Quebec were entirely opposed to the adoption of such a system. About that time the conclusion was arrived at that it was impossible to carry on the government of the Provinces of Upper and Lower Canada, unless some change should be made in order to meet the existing difficulties, as to continue the existing state of things might prove dangerous. A project was decided upon to avoid those difficulties, and he found it stated in the speech of Sir George Cartier in the Confederation debates. Sir George said:—

"The consequence of representation by population would have been that one territory would have governed another, and this fact would have presented itself Session after Session in the House, and day after day in the public prints. The moment this principle had been conceded as the governing element, it would have initiated between the two Provinces a warfare which would have been unremitting. \* \* \* He did not mean to say that the majority from Upper Canada would have tyrannized over Lower Canada; but the idea that Upper Canada, as a territory, had the preponderance in the Government by a large number of representatives, would have been sufficient to generate that sectional strife to which he had alluded. \* \* \* He took this ground, however, that when justice was done to Upper Canada, it was his duty to see that no injustice was done to Lower Canada. \* \* \* He did not intend to go into the details of the question of Confederation, but merely to bring before the House the most conspicuous arguments in order to induce members to accept the resolutions submitted by the Government. \* \* \* The matter resolved itself into this: either we must obtain British North American Confederation or be absorbed in an American Confederation."

It was therefore decided to adopt a new form of Government, and the present form was adopted, after discussion and differences of opinion between the two hon. gentlemen who were at the head of affairs, the late Sir George Cartier and the right hon. member for Kingston (Sir John A. Macdonald). The latter was in favour of a Legislative Union. Sir George Cartier was in favour of a Federal system, and the reason was obvious; it was because he understood that the special rights of the French population of Québec

would not admit of the adoption of a Legislative Union, and he would not have done his duty towards his co-patriots unless he had secured a Federal system. He said:—

“Under the Federation system, granting to the control of the general Government these large questions of general interest, in which the differences of race or religion had no place, it could not be pretended that the rights of either race or religion could be invaded at all.

The magnitude of the scheme now submitted, perhaps, the reason why those who had not made themselves conversant with the question, felt some apprehension in contemplating it; but when we came to discuss it clause by clause, he would be ready to state that no interest would be harmed in any way if Federation took place.”

Those views were not only held by Sir George Cartier, but were also those of the hon. member for Charlevoix (Mr. Langevin). That hon. gentleman had stated at that time:—

“We are considering the establishment of a Confederacy, with a Central Parliament and Local Parliaments. The Central or Federal Parliament will have the control of all measures of a general character, as provided by the Quebec Conference; but all matters of local interest, all that relates to the affairs and rights of the different sections of the Confederacy will be answered for the control of the Local Parliaments. The position in which Confederation will place us is very different from that which we should have occupied under the system proposed by the hon. member, inasmuch as the seventeen members, which Upper Canada will have more than Lower Canada, will have nothing to do with our local affairs, our religious questions or our particular institutions, and the hon. member for Hochelaga (Mr. Dorion), by his scheme, would have entrusted all that to the good will of the Upper Canadian majority; but for my own part, I would rather entrust the management of these matters to my own people than to them.”

Further on the hon. member for Charlevoix, who was then Solicitor-General, stated:—

“Now we have different interests in Lower Canada, in which reside two populations differing in origin, differing in religion and speaking different languages. On the other hand, Upper Canada has a homogenous population, but one professing different religions, and so it is with respect to the several Maritime Provinces.”

And they were told further:—

“You wish to form a new nationality. Let us come to an understanding on this word, Mr. Speaker. What we desire and wish, is to defend the general interests of a great country and of a powerful nation, by means of a central power. On the other hand, we do not wish to do away with our different customs, manners, and laws; on the contrary, those are precisely

what we are desirous of protecting in the most complete manner by means of Confederation. Under the new system there will be no more reason than at present to lose our character as French and English, under the pretext that we should all have the same general interests; and our interests in relation to race, religion and nationality, will remain as they are at the present time. But they will be better protected under the proposed system, and that again is one of the strongest reasons in favour of Confederation.”

Those extracts indicated what was the spirit that inspired our public men at the time of the adoption of our present Constitution; it was to protect the different interests of the people that were to be governed by it that the scheme of Confederation was decided upon and that of a Legislative Union was not adopted. It was not necessary to dwell at length upon the different features of a Federal Constitution, and a Legislative Union, to show that the difference between the two systems was so great that really no comparison could be made. All the arguments that had been brought forward were drawn from the principles of the British Constitution, which was not a Federal Constitution. It had been argued that the Dominion Government stood in the same position towards the different provinces as the Parliament of England occupied towards the Colonies; that the relations the Provinces should have with the Federal Parliament and Government were similar in character to those the Colonies should sustain with the Imperial authorities. It was only necessary to mention the fact to show that they were not the same. The relations of the different Provinces towards the Federal Parliament were certainly not those of Colonies towards the Mother Country; the Provinces were not Colonies of the Dominion. As was said when the discussion on Confederation took place, the Federal Constitution was a treaty. It was accepted as a treaty by the four Provinces that at first formed Confederation, as a treaty between the inhabitants of the different Provinces of British North America stipulating on equal terms. And we find this interpretation of the Federal Act in the Press of the time. When the Constitution was under discussion in Quebec, and before it was put into operation, some of the newspapers

contained apprehensions of the failure of the Constitution. The *Minerve*, a newspaper then inspired by one of the fathers of the Confederation scheme, published an article in May, 1876, containing the following:—

“Confederation is not only a solution, but a way to something else. For us it is salvation, it will preserve us from annexation; it is the only way open to us to attain political, commercial and industrial independence.”

Thus it appeared that in the opinion of the editor of that paper, Confederation was a sure way to obtain political independence. Sir George Cartier, in a speech delivered at a banquet tendered to him at Lennoxville in May, 1867, speaking of Confederation, said:

“It is impossible to regulate in advance all the details of so complicated a measure; but we can congratulate ourselves of what it has been possible to achieve. Our Constitution will, no doubt, require amendments, but it will be in the way of extension, and of according new guarantees to rights already existing.”

It appeared from those facts that those who devised the scheme of Confederation which, though not perfect, nevertheless was, perhaps, the best that could be devised, for the people of the different Provinces, felt satisfied that when it was amended and improved it would not tend to restrict the rights of the people, but to extend them. The rights that had been secured were not those of a general character, because they could have been protected as well under a Legislative Union; but the Confederation system was so devised as to secure the rights of the different Provinces, because a Legislative Union would not have given a guarantee to those rights. If the House considered the question under discussion in the light of those principles, hon. members could not accept the numerous precedents that had been cited as furnishing any light on the question under consideration, as those precedents were all furnished by the working of a Constitution entirely different from the one we now have. So they could not decide this matter in accordance with what had been done in England, because there a Constitution different from ours existed. Our Constitution was a written and limited one, as he had stated. It was to be interpreted, it was true, according to the

principles which prevailed in England, but we were limited to our Statute, we could not go any further or outside of it; and this was not only his opinion, but that of Sir George Cartier himself. In the debate regarding Confederation, Mr. Cartier, speaking of the Union Act and the Constitution of 1841, which much more closely resembled the British Constitution than did the Confederation Act, stated that the Union Act was our law. In answer to Mr. Dorion, who said that we had the same rights as the Imperial Parliament, Mr. Cartier remarked that Mr. Dorion's observation was absurd, that we had no such rule, that the Union Act was our law and we could not go out of it. Well, if the Union Act of 1871 was to be so interpreted, what interpretation should we give to the Federal Act, so limited and restricted, and much more different from the British Constitution than the Union Act? He (Mr. Jette) maintained that we had to-day to take our Confederation Act, limited as it was; we could not go outside of it; and we had to interpret it in the best possible way. If we had a Federal Union and not a Legislative Union, as was evident, the relations of the different Provinces to the Federal Government must necessarily be different from the relations of a British colony to the Imperial authority, and, these relations being different, the principles to be applied could not be the same. The consequences of these principles could not be the same; and we were not now to regulate ourselves by what had been done in the past, but we had to create a precedent for ourselves. It was the first time that a question like this had been brought before the House, and we had to interpret our Constitution on this point; and he held that we consequently must take good care not to interpret it in such a way as to infringe on the rights and privileges of the Provinces. If they were wise they would try to increase the rights of the Provinces, not to diminish them; and more especially to diminish the rights of the Federal Parliament, because the tendency of the Federal authority would rather be to concentrate than to grant to the Provinces more powers than they now had. To this he looked for the future

of the Province of Quebec, for which it was more especially necessary that these principles should be more carefully guarded. For these principles granted to us by the Constitution, were our only guarantee for the future; and if we allowed the Federal Parliament to interfere with our local affairs, and to intervene in matters that we could settle ourselves, this would be a bad precedent, which would be revoked in the future, all of which would do much, probably, to deprive us of the liberties and rights that we ought to enjoy. It had been already stated, and he repeated it, that they had in their own hands, in the Province of Quebec, the remedy for the evil complained of. If, really, an injustice, and a condemnable act had been committed, an appeal had been taken to the people of the Province, who would pass judgment on it in a few days. He would ask the House what, if the judgment of the people was in favour of Mr. Letellier's course, would become of the judgment of this House? Suppose they adopted the motion now before the Chair, and passed condemnation on the conduct of Governor Letellier, what would be the result? They could not restore the De Boucherville Government to power, nor bring back these Ministers to their offices. What then would be the practical result of passing this motion? He could understand, and they would be probably told, that this was within their right, and that even if it was of no effect, they could exercise it; but a right which was of no effect was, in his view, a poor remedy. Unless there was something in the Constitution that would guarantee a result from the exercise of this right, he was not disposed to pass this resolution, the only effect of which would be to prejudge the free judgment of the electors of the Province, and to tell them before-hand that they must do so and so, and, instead of allowing them full power and liberty to say and do what they pleased. It had been said by the previous speaker (Mr. Langevin) that he was defending the rights and the liberties of the people, and that Governor Letellier had committed an act which would be a stain on his memory.

Some HON. MEMBERS: Hear, hear.

MR. JETTÉ.

MR. JETTÉ said he was very much surprised to hear such strong language, when, in reality, the question which was to be decided was not, properly speaking, within the jurisdiction of this House, but, in the first instance, within the jurisdiction of the electors of the Province of Quebec. He could very well understand that if, after the elections had taken place, Governor Letellier would persist in refusing to restore to power the DeBoucherville Government, if the result of the elections—which he did not believe—was against the Joly Administration, and against maintaining the latter in power, then, and then only, resort could, perhaps, be had to the Federal Government acting in the limits of its responsibility to this House. But, before resorting to this Federal intervention, let the people of the Province of Quebec apply the remedy that, by the Constitution, they had in their own hands. Their judgment would be rendered in a few days; the question was now before them, and he (Mr. Jetté) was sure that they would not be deterred from the great questions at issue by the petty objections presented and discussed by some of the previous speakers. They would stand by Governor Letellier because they would see in him the protector of their rights; they would understand that it was to protect the people that he stood between them and his ex-Ministers, to stop them from imposing on the Province the most unjust and tyrannical legislation. He was certain that, at the polls, the majority would be in favour of the new Ministry, because the electors, in passing their judgment, would not fail to consider, above all, the two great questions, upon which, in reality, the resignation of the DeBoucherville Government had been brought about—the railway and the tax legislation. If the electors sustained the Joly Government, the act of the Lieutenant-Governor would be approved and sanctioned, and no other authority could prevail after the judgment of the great jury of the nation had been pronounced. Taking this view of the Constitution, and arguing that it was a limited one, although it was to be interpreted according to British prin-

ciples, as far as possible, he held that in our Constitution there was no distinct stipulation that they could bring this matter before Parliament at the present moment, and under these circumstances. This Parliament had no authority to pass a resolution the effect of which would only be to pre-judge the opinions of the people of the Province solely interested in the question. Moreover, he considered that it would be most unwise for them to say to the electors of Quebec that Governor Letellier was wrong, when, in a fortnight, the electors might answer that Governor Letellier was right, and they entirely approved of what he had done. For these reasons, and in order to protest against any encroachment of the Federal authority on the rights and privileges guaranteed to the Provinces by our Federal Constitution, he would vote against the resolution of the right hon. member for Kingston.

MR. DEVLIN said, as he understood it, this was a very simple question. The Lieutenant-Governor thought proper, for reasons which he considered sufficient, to dispense with the services of his Ministers, and the Ministers, feeling that he ought not to have dispensed with their advice and services, had appealed to the Governor-General. The question was taken up here because the Provincial Ministry was dismissed, and the right hon. member for Kingston had brought forth a motion to the effect that the action of the Lieutenant-Governor was unwise and subversive of the position of his advisers. It was evident that the mover of the resolution desired to evade the responsibility of bringing nakedly before the House this question, and he (Mr. Devlin) held that it was the duty of the House to stamp out every effort to deceive the people, and he unhesitatingly declared that the right hon. gentleman who made this motion was afraid to commit his reputation to a statement that the act of the Lieutenant-Governor was unconstitutional. The motion did not state under what circumstances that action was unwise. Giving the motion the most favourable interpretation, it simply amounted to this: that the Lieutenant-Governor had committed an error of judgment.

If the Opposition were anxious to test this question as it ought to be tested from their point of view, why did not they move a motion condemnatory of the action of His Honour? Now he (Mr. Devlin) believed the Lieutenant-Governor had an unquestionable right to dismiss his Ministry when circumstances justified such a course. The right hon. member for Kingston laid down the principle that no Governor or Queen could dismiss a Ministry so long as they commanded a majority of the people's representatives. But where, he asked, would be the freedom or liberties of the people if this doctrine were to obtain? The effect of the hon. gentleman's argument would be that in the case of destructive measures being introduced, measures which might impair the efficiency of the public service or the liberties of the people, the Sovereign or Governor would not have the power to express disapproval of such acts by dismissing the Ministry. How was it the hon. gentleman, in the course of his able speech, did not quote the pamphlet of Mr. Todd? Simply because that gentleman, who was an acknowledged authority on constitutional questions, had expressed an independent opinion on this important subject. According to Mr. Todd, it was plain that the Governor-General could dismiss his Ministry when he differed in opinion from them, and that the Lieutenant-Governors were vested with a similar power. As to the constitutional difficulty in Nova Scotia in 1860, when a similar question was in dispute, he considered that the position the hon. member for Cumberland (Mr. Tupper) took on that occasion prevented him from openly and publicly expressing his dissent from the opinions yesterday enunciated by the leader of the Opposition. The then Cabinet of Nova Scotia, of which the member for Cumberland was one, censured the Lieutenant-Governor and resigned because His Honour would not grant a dissolution. He also cited two recent cases in New Brunswick in which the Lieutenant-Governor dismissed his Ministers after they had refused to accept his advice in regard to legislation, and his conduct was sustained by the Imperial Govern-

ment. He read from an article in the *Dominion Monthly*, in which the writer, after citing a number of precedents in justification of the course of Lieutenant-Governor Letellier, said that the notion that a Sovereign could not dismiss his Ministers was one of the wildest hallucinations that had ever haunted the brain of a political enthusiast. Referring then to the course of Opposition members in regard to the conduct of the Lieutenant-Governor of Quebec, he said that he pitied the small minds who were incapable of appreciating the statesmanship of Mr. Letellier. He sympathised thoroughly with that honourable and high-minded gentleman, and he hoped the day would soon come, if Toryism was to exist longer, when the Province of Quebec would produce a race of just such statesmen. Hon. gentlemen opposite had spoken of Her Majesty's representative in the Province of Quebec as if he were a foul and dishonoured traitor. This was their language in speaking of the man who had been chosen as her representative by the Sovereign to whom they professed such undying allegiance. This was the way they showed their love for and loyalty to Queen Victoria by traducing her representative. But it was now as it had always been. When the Crown acted in opposition to Tory interests, Toryism was ever ready to trample on the Crown and slander its representatives. Toryism had burned the Parliament buildings; Toryism had stoned Lord Elgin on the public streets, and whenever or wherever the authority of the Crown was exercised in such a way as to militate against the interests of Toryism, Toryism rose then and there in all its wickedness, forgot all its professions of loyalty, and abused the representative of loyalty. The House had had lectures on loyalty—save the mark—from hon. gentlemen opposite. The House had been told that the Liberals of Quebec were Communists, that they were annexationists. Did these hon. gentlemen forget the proclamation of 1849? But this mode of attack was played out. It no longer produced the effects that it did in years gone by. The Liberals of Quebec were able to stand up in this House to-day, and to point to their record

and show that they had been true to their religion, true to their principles, true to their Queen. The cry of Communism and Annexation was an old game, but it was one that could be played no longer. The Liberal policy had now been before the people for many years, the people knew its record, and it was for them to say whether they were Communists or Annexationists. He alluded, then, more particularly to recent political events in the Province of Quebec, and said that, day after day, the late Ministry was pushing the country nearer and nearer to insolvency, until at last they had not a dollar in the treasury. The day they were dismissed they had not a dollar in the treasury. True, as the hon. gentleman said, they had a majority in the House, a majority of twenty, a large majority, and that accounted for the depletion of the treasury. They boasted of their majority, and it was a majority that would have stuck to them for ever. There were powerful reasons why that majority should stick to their banner. In fact, there were about 32,000 reasons why they should stick to their banner. Mr. Letellier was a French Canadian and an honour to his race, and, though he (Mr. Devlin) was an Irishman, he felt it his duty to defend Mr. Letellier against—he was ashamed to say—the assaults of his (Mr. Letellier's) own countrymen. When the country was on the verge of bankruptcy, Mr. Letellier had said to his Ministers in regard to the Railway Bill: "You are passing an Act, the object of which is to destroy the liberties of the people over whom I preside. By making this measure law the people of Quebec will no longer be able to claim the protection of the judiciary of the Province. You are shutting the doors of the Courts against them." The truth was, that Messrs. DeBoucherville, Angers, and a few of their friends, had constituted themselves the sole tribunal to which the people of Quebec would be able to appeal. He referred also to the character of the Taxation Bill, and traced out the details of the relation existing between the DeBoucherville Government and Mr. Letellier, to show how the former had actually overridden the authority of the Lieutenant-

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Governor, and asked if His Honour was not justified in saying: "The hour has come when I must exercise, in Her Majesty's name, and for the protection of the people, the royal power she has conferred upon me. The time has come when I must arrest you in your mad career, and the only way in which I can do that is to say to you: you no longer command my confidence." Would any lover of fair play or justice say that Mr. Letellier had not done his duty? The hon. member for Charlevoix (Mr. Langevin) had said of his fellow-countryman, Mr. Letellier, that he had betrayed the people, that his name would go down to posterity a dishonored one. He (Mr. Devlin) knew the reason for this strong language. The House knew the reason. An election was going on in the Province of Quebec, and these hon. gentlemen did not care a straw about the constitutional question, but had made their speeches simply with a view to the effect they would have upon the electors of Quebec when they came to read them. He would, however, give the hon. member for Charlevoix one word of consolation before he left the subject, and that was that the latest news received in Ottawa was that Mr. Joly's Government would come in with at least a majority of twenty. Perhaps the right hon. member for Kingston would undertake to frame another resolution dealing with this new phase of the constitutional question. He then referred to that portion of Mr. Letellier's statement in which allusion was made to the prevalence of "rings" and "combinations" in regard to railway legislation, and asked if that was not another good reason why His Honour should stop his Ministry in their mad career. But perhaps hon. gentlemen opposite would say that they did not believe the Lieutenant-Governor. The majority of this House, every man who was not influenced by the consideration of the local elections, would believe the Lieutenant-Governor. The majority of the people of Quebec believed the Lieutenant-Governor. Mr. Letellier had not dissolved the House until he had a Ministry who declared themselves ready to assume responsi-

bility for his acts. He (Mr. Devlin) knew Mr. Letellier, and the people of Quebec knew him, and the slanders and abuse of the Opposition would not detract an iota from the respect in which they held him. He (Mr. Devlin) believed him to be the right man in the right place; he believed that it required a strong hand to stay the progress of Tory corruption, and that Mr. Letellier had done his duty and nothing but his duty. He had checked the career of his late advisers at the right time, and under such circumstances his conduct would receive the favourable judgment of this country and every other country where the matter was made the subject of discussion.

Mr. PALMER said he was not disposed to let this important question go to a division without offering some observations on the important matters involved in it. Coming from another Province, he was completely disinterested with regard to the several constitutional questions concerned; but he did not propose to discuss at any great length the different points in dispute, which were purely local. He intended to offer a few observations upon the different questions involved without offering any opinion with reference to the disputes themselves. This was a question which, they must all admit, was new in Canada. He was rather surprised at the first proposition of the hon. the First Minister that this House had no right to pass judgment upon the Governor of the Province of Quebec. If this were true, and if this was not the proper form in which to discuss this question—

Mr. MACKENZIE: I did not say so.

Mr. PALMER said, then he entirely misunderstood the hon. gentleman. If the hon. gentleman said that this House had a right to do so still, many of the hon. gentleman's friends would assert the contrary proposition. Certainly, many of the hon. gentleman's followers, and his hon. friend the Minister of Inland Revenue, had entirely taken that ground. Before entering into this matter, perhaps it was his duty to notice the point raised by the hon. member for Montreal East (Mr. Jetté) that, inasmuch as the Constitution under which we lived was

granted to us by an Act of Parliament, and as it was a Federal Constitution, the precedents and authority of the English Constitution did not govern us at all. If this were so, certainly they stood there in a very different position from what anyone in this country had ever suspected, and it was as well for this Parliament, at the outset of our career, to settle, once for all, whether this country was governed by the principles of the British Constitution or not. If it were true, that English precedent had no place in this Parliament, and if the Government of Canada was not to be carried on in pursuance of British precedent, then the sooner that this Parliament discovered and settled it the better. He thought that his hon. friend was entirely in error. It was quite true that we had a Confederation, and that, as we now stood, the country was governed by virtue of the British North America Act; but he thought that this Act not only did not take away the Constitution which we before had, but that it guaranteed and settled what this Constitution was; and he believed that he would be able to show the House from the Act itself, and from the Constitution as it stood before, that his hon. friend was entirely in error as regarded that proposition; and that Canada and the Federal Government of Canada must be governed, with reference to the subjects which the Federal Parliament had jurisdiction over, entirely by the principles of the British Constitution. He, of course, reserved in this relation, matters of Imperial interest, and matters reserved to the Home Government and the Imperial power; but with reference to every function which the Government was capable of and had the power of at all exercising, he contended and insisted that it was the right of Canadians to have the full and free exercise of that Constitution in complete harmony with the British Constitution as exercised in England. His hon. friend from Sherbrooke (Mr. Brooks) had given a long and most interesting history of the concession of Responsible Government to this country. He did not propose to follow the hon. gentleman at all, for two reasons: first, he thought this would be entirely unnecessary, for he con-

sidered that the British North American Act, if Responsible Government had never existed in this country at all before, was a free grant of it. Of course, he agreed with the hon. gentleman, that this Act did not grant to this country Responsible Government, neither did the Great Charter in England grant to the English people anything that the English people had not before. At the same time it secured to our ancestors that which their Saxon forefathers had had from the foundation of their power. It was simply keeping secure the principles that had always existed among the free English people, and so he took it that Responsible Government, as conceded to the colonies, was not a new grant in any regard. It was the right of the British people settled in this country to have the free Government that they brought with them from the Mother Country. The struggle to sustain it and secure it was simply made against a usurpation by an oligarchy or other authorities, self-constituted in most cases in this country, which attempted to usurp and take from the people their constitutional rights and liberties. As a lawyer, he would contend that so far from the contention of his hon. friend from Montreal East being correct, he thought that by the terms of that Act itself, he could prove to this House that the pretention of the hon. gentleman was an utter fallacy. He would refer hon. members to the preamble of the Act. Of course, hon. members would understand him to say that he did not at all impugn the force or authority of this Act. If new powers were necessary to be granted, they might be granted by this Act, and if anything could be done as to taking away or altering the condition of things by that Act, of course it could be done, but in construing this Act, he thought they had a right to look at the state of the law at the time it was passed, and at the condition of this country at that time, and at the Government of this country, and exactly how it was then carried on, and they had also a right to look at the words of the Act itself. First they were to regard the preamble which Lord Coke said was the key by which to find the mind of the Legislature



that passed it. What did it say? This—“Whereas the Provinces of Canada, Nova Scotia and New Brunswick have expressed their desire to be federally united into one Dominion, under the Crown of the United Kingdom of Great Britain and Ireland, with a Constitution similar to that of the United Kingdom.” He also referred his hon. friend to the Act of Parliament which told them that this country had a Constitution similar to that of the United Kingdom; and yet the hon. gentleman wanted them to declare that they were not to be governed by the precedents of the Constitution of the United Kingdom at all; and that in point of fact, we had not a Constitution similar to that of the United Kingdom but a Confederated Constitution, which was something very distinct and different from it, and we were governed by entirely different principles; and therefore that no comparison could be drawn from these precedents at all. As he had already said, if we never had Responsible Government in this country and had been a Crown Colony, and if every right we have had as Englishmen was taken away from us, and we were reduced to the condition of serfs, the moment that the British North America Act was passed, it would have conferred on this country all the rights and all the privileges of a Constitution similar to that of the United Kingdom; and by consequence, it would be exercised in the same way, except so far as this was restrained by the provisions of the Act itself. Therefore, he thought that no man in this country would pretend to say that the argument of his hon. friend from Montreal East had any possible weight or course, this was a Confederated Parliament, at this time of day in this country. Of course, this was a Confederated Parliament, and a Confederated Government. He held, with the hon. gentleman, that it was of the utmost importance, not only that we should take care that the proper working of the Constitution in all its bearings was carried out, but also that neither one nor the other infringed in the slightest degree upon the powers that were exclusively within the other. And now when this difficulty had first arisen, it was of the most paramount importance to the people of this country that there should

be a right interpretation secured of the distinct powers conferred, and as to what was to be done under the circumstances. Was it to be, that there would be persons in office in this country for the exercise of whose functions nobody was responsible, or was it, as he contended, that some person was responsible for the act of every person who undertook to administer either the law or any office which was necessary in order to carry out the executive Government of the country. He was pained to think that it should be for a moment disputed that some person should not be responsible for the act of a Lieutenant-Governor of a Province, because, if what was contended for on the other side were true,—that the action of a Lieutenant-Governor could not be called in question in this Parliament, and by the Government that appointed him, he could not see, for the life of him, who was to call such Lieutenant-Governor to account. Such officer would then, certainly, have the power to do an immense amount of mischief in this country. He had heard, almost with pain, the suggestion of his hon. friend from Montreal Centre, who held that the Governor, when he saw the representatives of the people about to destroy the liberties of the people, should be able to strike and strike quickly; and who boasted that some party—a party which his hon. friend from Montreal East designated as a minority—had been able to strike down some injustice which would have otherwise been inflicted upon the country. Had it come to this that the Governor of a colony was to be a judge over the representatives of the people, and was to decide where they were destroying the liberties of the people, and to say when these representatives were to be struck down? It did appear to him that all idea of the principle of Constitutional Government was then gone, when he heard his hon. friend from Montreal Centre boasting, in the most eloquent terms, that this Lieutenant-Governor was just the man they wanted, and just the man for a *coup d'état*, and just the man to strike down the representatives of the people, at the time he, in his judgment, said they were overburdening the people

with debt, and destroying the liberties of the people. What did all this mean? It meant that this power was safer in the hands of an irresponsible Governor than in those of the representatives of the people themselves. Surely he had not heard aright; surely his hon. friend did not contend here, on the floor of Parliament, for the judgment of the Lieutenant-Governor against the judgment of the representatives of the people. Pursuing the argument and putting it upon logical grounds, of course the next enquiry was what were the class of officers under the British North America Act who were appointed Lieut.-Governors? He contended that a Lieut.-Governor under this Act was an Executive Officer of the General Government; and that his functions were identical with the functions—and in this he agreed with his hon. friend from Montreal East—of the Lieut.-Governors that were appointed by the Home Government. His view of the functions of the Lieut.-Governor was that he was not in the same position as the Queen herself. He admitted that the Lieut.-Governor exercised certain functions in the name of the Queen, and so did numbers of other officers of hers. His hon. friend the Premier was annoyed at his calling the Lieut.-Governor an employé of this Government. Well, that view was strictly correct, but he would express himself in a different form. He held that the doctrine of the personification of the Sovereign did not apply to the Lieut.-Governor of the Province of Quebec. The rule in England with reference to the Sovereign was that she could do no wrong, but surely that doctrine could not apply to the Lieut.-Governor. That point, which was strictly a point of law, was raised in the court with reference to whether the Queen could be sued. We all knew that that doctrine was raised in many cases with reference to the Lieut.-Governors in the colonies, and with the indulgence of the House he would cite a case which must be an authority, because it was a decision of the Judicial Committee of the Privy Council, which was the ultimate Court of appeal from this country. Lord Brougham, in his decision in the case of *Hill v. Bigge*, said:—

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“The reference to analogies, or the supporter of inconvenient consequences, must be much more pregnant than any that can be urged in this case, to support or even to countenance such a claim. If it be said that the Governor of a Colony is *quasi* Sovereign, the answer is, that he does not ever represent the Sovereign generally, having only the functions delegated to him by the terms of his commission, and being only the officer to exercise the specific powers with which that commission clothes him. ‘The Governor’ (said Lord Chief Justice De Grey, in *Fabrigas vs. Mostyn*, when that case was before the Common Pleas, which afterwards came by error into B.R.) ‘is the King’s servant, his commission is from him, and he is to execute the powers he is invested with under that commission; which is to execute the laws of Minorca, under such instructions as the King shall make in Council.’ ”

The point he made in reference to that was this: If we looked at the British North America Act we found that the proposition laid down by his hon. friend from East Montreal was entirely correct, and that these Lieutenant-Governors within the powers assigned under the British North America Act, were exactly on the same footing as the former ones were. The case he had cited showed that Lieutenant-Governors were appointed by the Government, and did not represent the Queen at all, but simply the law by a commission. In the British North America Act, Section 58, we found:—

“For each Province there shall be an officer, styled the Lieutenant-Governor, appointed by the Governor General in Council, by Instrument, under the Great Seal of Canada.”

Now, he appealed to every hon. member of the House who knew anything of the working of the Constitution, whether that was not the exact position of every employé of this Government except the Judges. Certain duties were assigned to the Lieutenant-Governor by law, and did it not follow that the Government that appointed him could also cause his removal and were responsible for his acts? Were they not bound, as the Imperial Government were bound, to have a supervision over him, to see that he administered the law, to see that he rightly exercised the prerogative which, by the appointment, was put in his hands? If, therefore, the Lieutenant-Governor did not properly exercise the functions committed to him, was it not necessary for them to do that which was needful in order properly to carry out the

working of the Constitution? He was not now speaking with regard to whether the Lieutenant-Governor of Quebec did his duty or not; he was dealing entirely with the question whether he was responsible to the House and to the Government. He was dealing with a question of great magnitude, one involving a question which, if tolerated, would be destructive of the liberties of the people. Local Governments would now be overturned, turmoil and disaster would be introduced throughout the length and breadth of the land if this principle, fraught with evil to the people of this country, was endorsed. He understood the position on the other side was that neither the Government nor the House had any right to call Mr. Letellier to account for his acts, that they had no right of supervision over him. Now, he certainly held that the question of whether the policy of Mr. Letellier was a correct one or not was a matter with which the House had no business to deal, and admitted that it must be entirely disposed of by the people of Quebec; all this Parliament had to do in the matter was to see that the election was not held there by the will of one man in an improper manner. The question whether the Lieutenant-Governor fairly held the scales, and the question whether the matter had been fairly dealt with on its merits were entirely different ones. The hon. member for Montreal Centre had no business to discuss whether the policy pursued by the Lieutenant-Governor was for the interest of Quebec or not; that was a matter beyond the powers of this Parliament to deal with. This Parliament had only to consider whether, as an officer of the Government, he had acted constitutionally or not. He would now pass on to one or two matters connected with the cases referred to by his hon. friend from Montreal Centre. Mr. Tupper, who was then in the Ministry, was an adviser of Lord Mulgrave, but the latter did not take his advice. There was no pretence that he was at liberty to go against the advice of his constitutional advisers. But it was quite probable that Mr. Tupper pressed it too far, and there was an election. It

was true that after the election Mr. Tupper said some members were returned falsely, but what had that to do with the case before the House? Another case he referred to, was the New Brunswick affair, in regard to which no less than four members of this House signed their names to a petition against the Lieutenant-Governor. Now, if he could show that a number of the members of this House, notably the Minister of Marine and Fisheries, put his name to a petition to the Queen, complaining of the action of the Lieutenant-Governor, then, I apprehend, he should show that it would be right to complain in this case. It was one of the most important privileges of this, and every other free country, to be governed in a constitutional manner; it was the right of these Provinces to conduct and manage their own affairs, so long as in so doing they did not interfere with the general policy of the Empire. This was held by the Minister of Marine and Fisheries and his friends. He did not intend to enter into a discussion of that dispute, he merely put it forward to show the principle laid down by them, and to argue that what was right for New Brunswick, in such a case must be right for Quebec. The case put forward by his hon. friend the Member for Kingston, was very mild in comparison with the charge made against Governor Gordon. They asked the people whether they wanted confederation or not, and said that the Lieutenant-Governor should be brought to account for having violated the first principle of the Constitution. Now, they said that the Lieutenant-Governor had a perfect right to dismiss his Ministers at any time. He (Mr. Palmer), contended that the country never could be governed if that doctrine was to be carried out in this House. He appealed to the Liberal party of this House, and more particularly the Liberals of Quebec, to vote against so unreasonable a proposition. The hon. Members for Montreal East and Montreal Centre, had put forward the still more extraordinary doctrine, that this House had no right to discuss the question. He thought the people of this country would hold the Government strictly to account for the conduct of officers appointed by it.

The resolution now before the House might justly have been much stronger in its terms, but its object was not to excite hostility against the Lieutenant-Governor, but to obtain the expression of the House, with regard to the wisdom and constitutionality of his conduct. He thought it was important that the House should carefully guard every constitutional principle, and trusted they would adopt the resolution.

MR. BABY said that, of course, this was a very important question, not only to the Province of Quebec, but to the whole of the Dominion. Now, he contended that Mr. Letellier was appointed here, and this Government was therefore, responsible for him and his deeds. Surely, notwithstanding the argument of the hon. Member for Montreal East, they had a right to censure the Lieutenant-Governor, and to dismiss him, if had taken upon himself to throw aside the Constitution and to trample upon the rights of the people. The hon. member for Montreal East had said that our Constitution was not framed on the English Constitution, but was a treaty between the different Provinces, which had entered Confederation and that treaty was written. Now, by the principle of the British North America Act, it would be seen that his hon. friend erred in his pretensions, for it was therein specially said that the Act should be interpreted in the sense of the British Constitution. The resolution before the House had been narrowly criticised, but he did not think it could be construed in any way as an intrusion upon the rights of the people of Quebec, as had been contended by Mr. Jetté. In that resolution complaint was made that the Lieutenant-Governor of Quebec had violated the principles of Responsible Government as laid down, not only by books, but by many living and reliable authorities, as so ably shown by the right hon. member for Kingston, in his remarkable speech on the question. The constitutional rights of the people were becoming more and more defined, and it had been shown that, although the Sovereign possessed certain powers which were made the basis of the argu-

ments of hon. gentlemen opposite, those powers had never been exercised for a number of years, and no Sovereign would now dare to exercise them. The cases of two Lieutenant-Governors, one of New Brunswick and the other of Nova Scotia, had been cited by the Liberal Party, but two blacks did not make a white, and because nothing was done in those cases, that fact was no reason why no action should be taken in the case of Mr. Letellier, when all precedents were against his conduct. The hon. member for Montreal Centre, had called them (the Quebec Conservatives) weak, poor-minded men, and the words had been received with cheers and derisive laughter by a number of hon. members behind him. He (Mr. Baby) was not at all surprised to hear the cheers and laughter, because they came from men of the same high order of mind as the member for Montreal Centre. So was it when the hon. gentleman's countrymen lost their political rights, when the Irish Party voted its own death, they greeted with cheers and derisive laughter, those who denounced that thrice unpatriotic action. No doubt there were "Devlins" in those days, as in ours, who said: "You gentlemen are weak-minded men, and have not our strength of brain, because we see no cession of the rights of the Irish race in our action. That was about the reasoning of the hon. member for Montreal Centre (Mr. Devlin), who, though a Catholic Liberal, and as such should always be prepared to defend the rights of the people, had called hon. members on the Opposition side of the House weak-minded men because they disapproved of the action of Mr. Letellier. The hon. member for Montreal Centre declared that the Lieutenant-Governor had done right by casting aside, by his tyrannical will, the wish of the people as expressed by the majority of the Legislature, and had said that his name would go down to posterity and would be upheld as a kind of demigod. He (Mr. Baby) was glad he was not a high and strong-minded man of the stamp of the hon. member for Montreal Centre. No, the hon. member for Montreal Centre was not actuated by patriotic motives when he thus took the part of the Lieutenant

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Governor, and he had let out the word of the situation when he had said that His Honour was the "right man in the right place," meaning evidently that, by his *coup d'état*, he had prepared and paved the way for the Liberals in the Province of Quebec, at the general elections for the House of Commons. The Conservative Party had been told that they could not understand the question, because they did not know what were the principles of Responsible Government, that they ignored Responsible Government, that they had no traditions, and were to a certain extent considered as political pariahs, who knew not what they desired or could obtain. That declaration was made by the hon. the Minister of Inland Revenue. Of course, the hon. member had traditions, and they extended into the far distant past. He (Mr. Baby) would show the House what was the political creed of that hon. gentleman and his followers, what it had been in the past and what was proposed as the political creed for the future. Let hon. members consider the facts, and they would perceive which was the political party that had some knowledge of Responsible Government and British political institutions. The hon. the Minister of Inland Revenue belonged to the Liberal party. That party was organized in 1848 to combat the parties who had established Responsible Government in the Province of Quebec, the late Judge Lafontaine, and the late Robert Baldwin, who were then young men full of patriotism, vigour and good intentions. The Liberal or Rouge party was, indeed, founded to oppose Lafontaine, the idea being to inculcate Radical ideas setting aside Responsible Government altogether. The views thus enunciated were very well known to every student of political history; he would state what they were, and the House would then be able to judge whether they had been repudiated by the Liberal party or not. The programme included amongst other things universal suffrage, "annexation to the United States," and abolition of pensions. Among that so called glorious phalanx were Sir A. A. Dorion, the hon. the Minister of Justice (Mr. Laflamme), Mr. Wilfred Dorion, Mr.

Joseph Doutre, Mr. Charles Laberge, the late Mr. Papineau, and a number of others, and perhaps the hon. member for St. Johns, though he hardly believed that the hon. gentleman entered into all those erratic ideas. In every respect they were an obstacle to the carrying out of Responsible Government. Their ideas were that those who had fought to obtain Constitutional Government and who had obtained that boon from the Imperial Government were traitors to their country, with being the humble servants of England, and desirous of carrying out the British Constitution instead of that of the United States. He was glad to say that the bulk of the people did not accept those erratic ideas, and that the good sense of the French and English population of Quebec rose far above such opinions, and the Liberal Conservative party triumphed by the good sense of Lafontaine and his patriotic followers. In 1854, seeing that those ideas were not implanting themselves on the minds of the people, the Rouge party came forward with another programme, the first plank of which was the "abolition of Responsible Government," and yet hon. gentlemen opposite declared the Conservatives knew nothing as to what Responsible Government was, and were not in a position to discuss the question. They, the Conservatives, had however, carried on Responsible Government up to 1854 on a true political and constitutional basis; and yet the first plank in the Liberal platform was the abolition of that system, and giving to Canada republican institutions. The other planks of the platform included the election of members to the House of Commons every two years, reduction of the Governor-General's salary to \$40,000, reduction in all Departments of the public service, special laws respecting the formation of companies which intended to build railways, abolition of pensions, and, finally, annexation to the United States. The Liberals thus understood the principles of Responsible Government. Whether the Conservatives understood the true principles of Responsible Government or not, they understood what was in the interests of the people, and, in the present

instance, they clearly saw that those interests were, that the people should have a voice in the Legislature of the Province, and that such voice should not be disregarded by the Lieutenant-Governor. He (Mr. Baby) was somewhat surprised at the statement made by the hon. the Minister of Inland Revenue, but it was well known that when the hon. gentleman entered the second phase of his political life, he published to his countrymen a kind of manifesto. The hon. Minister, in a speech, in which he invited the Liberal party of the Province of Quebec to accept him as their leader said :

"There were at this time (1848) a number of young men of great talent and of still greater impetuosity of character. Disappointed in being too late to risk their lives in the war of 1837, they rushed blindly into the political movement of the day. They were the foremost supporters of Mr. Lafontaine in his glorious struggle with Lord Metcalf. They afterwards abandoned him for the more advanced policy of Mr. Papineau, and, while they followed him, as it was quite natural they should do, they had soon outstripped him. Emboldened by their success, and carried away by their own enthusiasm, they established a paper, *L'Avenir*, in which they assumed the position of reformers and regenerators of their country. Not satisfied with attacking the political state of things, they audaciously fell upon social institutions. They started a programme, which contained not less than twenty-one articles, commencing by the election of Justices of the Peace, and ending with annexation to the United States, and which meant nothing less than totally revolutionizing this Province. If it had been possible by a wave of a wand that the twenty-one articles of this programme could have been realized in the course of a night, the country could not in the morning have been recognizable. Any one having left it the day before, and returning the next morning, would have been completely bewildered."

Now, here was his hon. friend the Minister of Inland Revenue, who severely condemned his colleague the hon. Minister of Justice, who, the other day only, said that he did not, or had ever belonged to the "National Party," but had always been a member of the old Liberal party, and, therefore, was the very embodiment of all the glorious political principles promulgated to the world by the celebrated programmes of 1848 and 1854. On the other hand, here was also, from the hon. Minister of Inland Revenue himself, the proof, the undeniable proof, that the Conservatives had carried out the principles of Responsible

Government in Canada, and had never entertained the erratic ideas of annexation and Republican institutions for Canada, to which the Liberals of Quebec still adhered, as of old. The hon. member for Quebec East said annexation was an old issue, dead and buried. Not later than 1872 or 1873 he (Mr. Baby), however, had listened to a lecture, largely attended, given in Montreal by a very worthy Senator, one of the foremost gentlemen among the Liberal Party, on annexation, on which, he said, depended the salvation of the country. The traditions of the Liberal Party on this score are still followed. Yes, be it said to their honour, if the Province of Quebec to-day possessed a Responsible Government, it was not due to the Liberal Party, but to the Liberal-Conservative Party, which had kept the traditions and followed in the footsteps of Lafontaine, Morin, Taché, Cartier, and the others who had fought for the principle of Responsible Government. On the contrary, annexation had always been a plank in the platform of Lower Canadian Liberals. The very Lieutenant-Governor of Quebec had uttered the reasonable sentiment that he was in favour of annexation, when at Kamouraska in 1873, and it was, therefore, not surprising that he should now trample on our Constitution, so as to render it odious to the people, and try, thereby, to get them to look to the other side of the line for the protection of their political rights. But he will be happily frustrated in his designs, by the good sense of the people of the Province of Quebec, as were the Liberals in 1848 and 1854. The hon. the Minister of Inland Revenue nor the members of the party, did not try to condone the act of Mr. Letellier, but by side issues, by special pleading, they tried to waive the effect on the people. It was left to the hon. member for Montreal Centre, to whom he would revert again for a few minutes, to stand up alone and defend the Lieutenant-Governor. He (Mr. Baby) would not go over all the reasons urged by the hon. member for Montreal Centre in his defence, but he would only say that had his honor, Mr. Letellier, been a Conservative, he would condemn him

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in the same language in which he condemned him to-day, because the interests of the country must rise far above party spirit. Here was a precedent set by a Liberal of the Province of Quebec, and which, from what he could judge, would be approved by hon. gentlemen on the other side. The hon. member for Montreal Centre had invoked precedents laid down in Nova Scotia and New Brunswick, as above stated. Well, the same question might come up again, only the rolls might be changed, and here would be a precedent, which the Liberals would not be able to disallow. Certainly there should be such a vote on this subject as would say to this man: "You have not done your duty; you knew what your duty was; it was shown to you by the Constitution, and indicated to you by your predecessors, and by the Government, even from whom you hold your commission." He was sorry to say that the Liberals of this country, of whom they might have expected better things, to judge from their professions, were exactly what the Liberals were in other countries. Yes, Liberals were everywhere the same. When in Opposition there was no limit to their cries for liberty; but when in office there were no greater tyrants. Now, the Opposition had been accused of disloyalty, and that, most extraordinarily by the Liberals. But no; they had always respected the rights of the Crown as well as that of the people. They were called the Tory Party; and the Liberal Party was held up as the embodiment of purity, and of everything that was good for the people and as respecting the rights of the people. Suppose, for argument sake, it was true that the Conservatives did not desire to do anything for the good of the people, then the Liberals should not conform their acts to those of the Conservatives; the former should have a policy of their own, and in accordance with the principles they had laid down and exhibited to the world. But no, this was not the policy of the Liberal Party. They were no greater tyrants than the Liberals when they were in power. The hon. member for Montreal Centre had reproached the Opposition with disloyalty to the Queen, and the

hon. gentleman said that the hon. member for Charlevoix had cast aspersions on the character and head of the Lieut.-Governor of the Province of Quebec. Was he then not right in saying that when these gentlemen were in power they said things which they would never otherwise utter, and when in power they disguised and sugar-coated—if he might employ that expression—their principles. The Government, on the day after the 13th of August, stated:—

"Le coup d'état dont Ottawa a été hier le théâtre nous reporte aux plus mauvais jours de notre histoire, et Lord Dufferin, jusqu'ici si populaire, vient d'inscrire son nom à la suite de ceux de nos anciens gouverneurs LES PLUS EXÉCRÉS. Ce qui ajoute encore à l'indignation soulevée contre lui, quoiqu'il ne soit en cette circonstance que le SERVILE INSTRUMENT DU GOUVERNEMENT IMPÉRIAL, c'est le ton HYPOCRITE du discours qu'il a prononcé à Halifax et qui avait fait un instant illusion sur ses intentions. Il prononçait une parole qui aurait dû s'arrêter sur ses lèvres, lorsque dans ce discours, il s'écriait que son seul guide était le *Parlement*. Ce Parlement réuni pour procéder à une enquête impérieusement réclamée par la conscience publique, qu'en fait-il? *Il le baffoue*, il lui interdit de délibérer, et il le renvoie sans vouloir l'entendre.

"Était-ce bien la peine de revenir exprès d'Halifax pour infliger à la représentation du pays solennellement convoquée cette grossière insulte? Lord Dufferin aurait aussi bien fait d'y rester à tourner le madrigal et à conter fleurette aux oisifs que d'aller à Ottawa donner le démenti à ses propres paroles. Ce qu'on avait pris pour de l'empressement à remplir son devoir, n'était que du zèle à servir ses ministres. Il se hâtait d'accourir pour leur obéir, pour les couvrir.

"Eh bien! puisqu'il le veut; puisqu'il préfère au respect d'un peuple libre l'accolade d'hommes qui renoncent à revendiquer leur honneur outragé; puisqu'il abdique le rôle d'un arbitre impartial n'écouant que la voix du Parlement, pour se faire le serviteur docile de ministres prévaricateurs, et qu'il n'est qu'un LAQUAIS PORTANT LA LIVRÉE IMPÉRIALE: qu'il reçoive donc sa part du MÉpris public et qu'il tombe au rang de ceux qu'il protège contre la justice populaire. .... Tandis que les représentants du peuple délibèrent, il ose se présenter sur le seuil, non pas tout à fait comme Louis XIV en habit de chasse et le fouet à la main, mais en costume officiel et de l'air d'un VALET qui exécute une consigne! N'hésitons pas à le dire: le peuple se serait fait alors justice à lui-même que l'on aurait pu déplorer sa colère, mais NON CONTESTER SON DROIT.

"Que l'on fouille notre histoire, et que l'on y recherche la trace des actes de tyrannie qui ont rempli tant de pages de nos annales; on n'en trouvera aucun de plus odieux que celui dont nous sommes les témoins indignés. Jamais le droit du Parlement n'a été violé d'une façon plus flagrante; jamais l'intervention de l'autorité impériale dans nos affaires n'a été plus directe ni plus VIOLENTE. On met de côté le

Parlement, on dédaigne l'opinion publique, on nous impose un gouvernement dont nous ne voulons plus et qu'une majorité des députés repousse."

These were the very gentlemen who said that the members of the Opposition were disloyal, because they stated that Governor Letellier had acted unconstitutionally in summarily dismissing his Ministers. When Lord Dufferin, the Governor General, was acting in the plenitude of his rights, and doing what he should have done, constitutionally speaking, in retaining his Ministers in office because they had a majority in the House, there were no expressions too strong that could be used against His Excellency, who, they represented, had thus violated the constitution, and set aside all the rights and trampled upon the liberties of the people. What, then, could they believe as to the political perfections of these hon. gentlemen? Neither they nor the country could have any confidence whatever in these hon. gentlemen. He did not intend to weary the House, but it was his duty to rise in his place as a French Canadian, and as the member of a large community in the Province of Quebec, and to protest most emphatically against this act of the Lieut.-Governor in the Province of Quebec, and to say that the people would not stand it, nor allow any man, no matter how high he might be in the political hierarchy, to trample upon their rights. Gov. Letellier, on the most flimsy of motives, had set aside and dismissed his Ministers. What kind of arguments did his honor employ? Arguments that no reasonable man or any man of the least intelligence, and much less a statesman, could admit as being reasonable. His Honour was certainly justified in sending about his Ministers. The hon. member for Montreal Centre must know that the principle laid down by the ex-Ministers, in regard to the collection of the municipal subscription, was not a new one, and not at all odious. It was to be found in the Revised Statutes of 1867. He knew right well if a person was illegally seized, he could always have recourse to another tribunal. The collection of our municipal and school taxes were based, to a certain extent, on that

principle, which appears so odious to the hon. member. Besides, an Act had been passed by the Legislature of Ontario on the very same principle, and about the same subject, without creating any alarm in the Province, but the municipalities were not prevented thereby, if they so desired, from taking out a legal process in order to have a case decided before the Courts. The hon. gentleman must know this, because he had a high legal standing at the Bar, though he seemed to be blinded by his political partizanship. The arguments made use of by the other side, were evidently only thrown out as a kind of electoral dodge. Had the Lieutenant-Governor been the man he was supposed to be, had he been a man possessed of high constitutional attainment, which he was presumed to have, he would not have acted as a schemer or trickster. He would have held a high and honoured position in the Province of Quebec, whereas now, his memory would be execrated, even by his friends. He would be treated as a man who respected not principle, but was influenced solely by political partizanship. Most emphatically must it be stated that the act which Mr. Letellier committed was one unpatriotic and unconstitutional—one, also, which would cover his name with infamy, politically speaking.

MR. LAFLAMME said he did not, at that late hour of the night, intend to take up much time, but would merely answer a few observations made by the hon. member for Terrebonne, and the hon. member for Charlevoix. Well, once for all, he felt he must answer the miserable, insignificant accusations made against him by those gentlemen. He had heard these accusations put forward seriously and bombastically, but had not before thought they were worth answering. A great deal had been said about a certain programme laid down by a certain newspaper. Now, what he would ask had that programme to do with the Liberal party. The fact was this: In 1848, twelve boys, the oldest of them not being over twenty years of age, subscribed a few shillings to start a newspaper of a quarto size. He was one of these editors, and with the



others sent his contribution. This was the paper, however, to which these hon. gentlemen must resort, in order to stigmatize the Liberal party, pretending that the doctrines enunciated by these twelve boys were the gospel of the Liberal party. These boys were attached to the Liberal party, of which they were members, and out of their zeal sought to introduce some new ideas in that paper of theirs. When, therefore, it was represented that these programmes emanated from the Liberal party it was done for the purpose of scaring the intelligent electors. Hon. gentlemen opposite tried to make out that the Liberal party formerly sought to bring about a revolution, by pointing to the writing of these twelve boys. He hoped the House would never hear any more of this; it was certainly a miserable thing for leaders of the Conservative party to argue that the Liberals, in their programme, had formerly insisted on a severance from England. The articles in the newspaper referred to were written at a time when the leaders favoured such a severance, because they feared that, by the change in the English tariff, they would suffer pecuniarily. These young men had no such mercenary motives; they saw a grand vista opening, and they laid down this programme in their paper. In 1854 another programme was laid down. By that time every one of these boys had become young men and were occupying respectable positions. Now, he (Mr. Laflamme) never wrote a word about annexation, except when a youth of about twenty years of age. He was one of the secretaries of the Annexation Association when the Hon. John Ross was one of its vice-presidents. He did not want to be held responsible for the nonsense that appeared in every newspaper in the country. If he took the trouble to go over the *Nouveau Monde* for the last ten years, he should be able to make the Conservatives responsible for many things. But it was like a play to witness what they had seen that evening,—to have seen the emotion, the enthusiasm, the zeal, the patriotism and the frenzy which had inspired hon. gentlemen of the Opposition with regard to the violation of the Constitution, because the Lieuten-

ant-Governor of Quebec had acted properly, under a principle which was admitted to be one of the principles of the British Constitution, in dismissing his Ministry. He would not take up the time of the House by going through the history of that party; but when he heard gentlemen speaking as Conservatives, and as protectors of the liberties of the people, he thought it was well to call attention to a few of the principles which had been advocated by that hybrid party. It was from the day that those who claimed to maintain the true principles of the Liberal school, who pretended to be the inheritors of the doctrines of the old Reformers, the true Reformers, seceded from the new compound of conservatism and liberalism, and it was in order to have some accusation to make against the Liberal Party, to terrify those who were attached to the British Constitution, that they were accused of being annexationists. There was no man in the Dominion who was a more thorough and a more sincere admirer of the British Constitution than the liberal French Canadian of Quebec, or who understands it better. Had he time, he could show where destructiveness, not only of the British Constitution but of all liberty was lurking and actually at work during the past ten years in the Province of Quebec, but he would avail himself of an opportunity afterwards.

MR. CAMERON said he had listened attentively to what had been said by hon. gentlemen opposite and had failed to hear any one of them answer the argument, advanced by the right hon. member for Kingston. He had expected when the hon. the First Minister stood up to address the House, to hear a discussion of the subject, an explanation of his reasons for dissenting from the views of the right hon. member. Instead of that his whole speech consisted of this one argument, that in his opinion it was inexpedient that an opinion should now be expressed on the subject. He conceded the absolute right of this House to discuss the subject in every point; he admitted the position which the hon. mover of the resolution had taken that it was within

the functions to censure the Lieut.-Governor of any Province if he had violated the Constitution or set aside the propriety which ought to govern his action in dealing with his Ministers, but concluded by saying that it was inexpedient to enter on any such discussion. What was this House to do? Could that be a correct principle that this House of Commons had a right to discuss the subject and had no right to express an opinion on it. That was what the argument of the First Minister amounted to. He said practically: say what you like upon it, discuss the constitutional question but do not express an opinion by passing this resolution, because the question is under the consideration of the people and will be decided at the approaching elections in Quebec. If the Lieutenant-Governors have any responsibilities to this House, it must be within the power of the House to discuss the manner in which they have discharged their duties, whether the question be under consideration of another tribunal or not. Had this House or had it, not the right to discuss the grounds on which the Lieut.-Governor of the Province of Quebec had dismissed his Ministers, the reason which he had assigned in his memorandum to the Governor-General, or his course of action on an important subject? If they had, then they had also the right to express an opinion. But, however, put it on a different ground. The hon. the First Minister had said it would be an interference with those principles of Responsible Government if they ventured to express an opinion on a subject which the electors had now before them. He (Mr. Cameron) did not see that it followed at all, that because the electors of the Province of Quebec had now before them the condemnation or justification of the Joly Ministry, this House had not the right to pronounce an approval or condemnation of Mr. Letellier's course. The two things were entirely different. Mr. Joly might be sustained or condemned at the polls, for reasons which would have no influence whatever on the question, as to whether Mr. Letellier's action was justifiable or unjustifiable, wise or unwise. The

people of Quebec had before them the policy propounded by the Joly Government. It was true the Joly Government had taken upon themselves, as they were bound to do, the responsibilities of the course taken by Mr. Letellier in dismissing his former Ministers. They had boldly accepted that responsibility; no thanks to them; they could do nothing else, according to the first principles of Constitutional Government. It would be a violation of the elementary principle of our Constitution to say that the succeeding Ministry was not answerable for all that the Governor had done, which had led to their formation. No principle was more plainly laid down than that, but Mr. Joly had accepted a far greater responsibility, and had appealed to the electors of Quebec on far different grounds. Mr. Joly did not say: "Vote for us because the Lieutenant-Governor was right in dismissing the DeBoucherville Ministry, but vote for us because the policy we propose is a better one than theirs; we are going to pursue a policy of economy, to have no taxes on the various proceedings of a commercial character, to adopt a certain policy with regard to the railway question, to introduce reforms of various kinds; for all these reasons it is desirable you should support us." Was it not possible the elector might say, when considering the propriety of voting for a particular candidate, "Although I condemn the action of the Lieutenant-Governor, yet I think the policy of the Joly Government is so superior to that of the DeBoucherville Ministry, I will vote for their candidate." If that were possible, nothing else was required to show the two questions were entirely different. While this House might and ought to condemn the Lieutenant-Governor if it considered his reasons unfounded, it did not follow that the fact that the Joly Government might hereafter be sustained at the polls, would be a justification of his course. If that were the case, surely this House was not limited to an important conclusion as to whether Letellier was right or wrong, and not follow that up by a formal expression of its opinion. The argument of the hon. the First Minister seemed

to him to sum itself up in that single position. Surely that was a concession of the whole argument, and the House was brought to the consideration of the question whether the dismissal of his Ministry by Mr. Letellier was wise or unwise, and whether the circumstances of that dismissal were of such an extreme character that it was proper that the censure of Parliament should be expressed against him. With the single exception of the member for Montreal Centre (Mr. Devlin) no hon. member had attempted to sustain the propriety of the course of the Lieutenant-Governor. That hon. gentleman had attempted to defend the Lieutenant-Governor's action on constitutional grounds. It was not contended that the Lieutenant-Governor did not possess the right to dismiss his Ministers, and, therefore, the question to be decided was as to whether Mr. Letellier was justified in the action he had taken. It was impossible for hon. members to peruse the documents that had been submitted to the House, and then deliberately declare that the Lieutenant-Governor, under the circumstances of the case, was in any sense justified in the course he pursued. The Lieutenant-Governor in the summary of his argument as to his action submitted to the Governor-General, justified it on three grounds: 1st, that his conduct was constitutional; 2nd, that the conduct of the Ministry endangered the prerogative of the Crown; and 3rd, that it also endangered the most important interests of the people. That his conduct was constitutional, it was highly necessary to discuss. While it was admitted that under the Constitution Mr. Letellier had the constitutional right to dismiss his Ministers, it did not follow that his conduct was right, and that he had exercised his constitutional functions in a proper manner, which was the question under discussion. Mr. Letellier referred to the prerogative of the Governor. If he could show that by the course of the Ministry the prerogative of the Crown had been in any way interfered with, then he, the representative of the Crown, in the qualified sense in which he was the representative, could call the

Ministers to account, and, if it was necessary, dismiss them. His Honour, however, conceded that position when he stated that he was satisfied that his late advisers had no intention to disregard the prerogative of the Crown. Mr. Letellier had also charged his Ministry with having invaded important interests of the people. He (Mr. Cameron) was not, however, prepared to accede to the position that Lieutenant-Governors of Provinces were, in an especial manner, the guardians of the interests of the people when the Ministry was sustained by two-thirds of the representatives of the people in each branch of the Legislature. No paragraph in the Confederation Act, and nothing in the Governor's instructions gave Mr. Letellier the power to summarily dismiss his Ministers under such circumstances. It had been urged by the hon. the Premier that Lieutenant-Governors possessed exactly the same powers as the Governor General and as the Crown in regard to those matters. He (Mr. Cameron) did not concede that position, and Mr. Todd, in his *brochure* which he had recently published, expressed a different view.

MR. MACKENZIE: Where?

MR. CAMERON said that on page 27 there was the following:—

"Her Majesty's Secretary of State for the Colonies (Earl Carnarvon) in a despatch to Lord Dufferin, the Governor-General, dated 7th January, 1875, observes, that these officers, 'However important, locally, their functions may be, are a part of the Colonial Administrative Staff, and are more immediately responsible to the Governor-General in Council. They do not hold Commissions from the Crown, and neither in power or privilege resemble those Governors, or even Lieutenant-Governors, of Colonies to whom, after special consideration of their personal fitness, the Queen, under the Great Seal of Her own hand and signet, delegates portions of Her prerogatives, and issues Her own Instructions.'"

MR. MACKENZIE: Does the hon. gentleman give that as Mr. Todd's opinion?

MR. CAMERON said he granted he had been misled in saying that this was Mr. Todd's opinion, but it was that of a far higher authority, namely, that of the Secretary of State for the Colonies.

**MR. MACKENZIE:** The Secretary of State does not pretend to be an authority on such questions.

**SIR JOHN A. MACDONALD:** He is an authority in England on those points.

**MR. CAMERON** said it was quite immaterial whether Mr. Todd approved that opinion or not, because it was maintained by a higher authority. And then the hon. the First Minister tried to belittle this discussion and this matter, and he said that this was only the case of a Lieut.-Governor removing the Ministry and appointing another. He (Mr. Cameron) should like to know whether there could be a more important exercise of the functions of a Governor or a Lieut.-Governor than the removal of one Minister and the appointment of another. There was no doubt that Lieutenant-Governors had certain powers; but, if it was boldly asserted that they had the same powers, which meant as extensive and as large powers in every respect, as the Sovereign or the Governor-General, he dissented from that position, and said that Mr. Todd did not take it; and, if he understood the First Minister aright, he stated the proposition in a much larger sense and in larger terms than Mr. Todd stated it, and certainly in terms quite contradictory to those stated in Lord Carnarvon's despatch. When the hon. the Minister of Public Works rose, he was speaking of the manner in which the hon. gentleman had treated this matter as one of little moment. He had asked the House if they had had, during the whole progress of this Session—he certainly, speaking from his own recollection, could say that, during the short time he had had the honour of being a member of this House, they had not had—a discussion of a more grave character, or of more importance to the interests of the country, than the present one; or which involved the good government of the country in a more important degree, or upon which the future of Canada and the proper working of our Confederation system more completely and entirely depended. Moreover, was it of such little importance that a Ministry should be dismissed, or that a Ministry should

be appointed? Would the hon. gentlemen opposite think it of little importance if His Excellency the Governor-General some fine day, if he did not agree with some of their measures, should summarily dismiss them; or would the country at large think it little matter, or would the large majority of hon. gentlemen opposite who sustained the Ministry and who occupied the Government benches, think it was a little matter and one undeserving the attention of Parliament, if His Excellency should be advised, or think fit in his own discretion, summarily to dismiss them because he thought that they were not governing the country, and not proposing measures to Parliament, in the interests of the public. With respect to that subject, and the view which the party of which the hon. the First Minister was a member held, he would refer to the words of the leading organ of that party. Perhaps the hon. member for North York, would be able, if he addressed the House on this subject, to show whether there was any distinction between the position of facts at that time in Ontario, and those now existing in Quebec. The Reform Press characterised in bitter terms what certainly was an Act in no degree approaching in enormity of power and in its unjustifiable character as to the exercise of power in the then Province of Canada, compared to that which the Lieutenant-Governor of the Province of Quebec had recently exercised. All that Sir Edmund Head, did on that occasion was to refuse to notify Mr. Brown, when he assumed the task of forming a Ministry, that if he advised a dissolution he (Sir Edmund Head), would consider it on its merits, but would not pledge himself before hand to dissolve Parliament. Mr. Brown did form a Ministry and did advise dissolution, but Sir Edmund Head declined to accede to this request for reasons which he had stated in a memorandum at the time; and because he did so, and would not dissolve a House which had voted want of confidence in the previous Ministry a few days before by an overwhelming majority, and because he refused to give to a Ministry which was evidently not possessed of the confidence of Parliament, and which was in a large

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minority in the House—a dissolution, and that of a Parliament but recently elected, he was stigmatised in severe language; and the people of Canada were told that we were in days worse than the worst of the days of the Stuarts, and subject to one man power and one man government; that the Ministers and members of Parliament might as well be abolished, and that we had come to those days in which we had the single man dictating to the people what the government of the country should be; and, in fact, carrying on single man power and single man government. He would like to know whether a Lieut.-Governor was to be invested with the power of saying whether measures which two-thirds of the representatives of the people in both Houses had passed, and had in their wisdom said were necessary for the good Government of the country, should be allowed or not; and of not only expressing, but also acting upon a different opinion, and of saying: "I won't have these measures, although an overwhelming majority of my Parliament says that they are right and proper." What else was this but one man power? Was it ever intended that the Lieut.-Governor, under our constitutional system, should be vested with such power? Certainly it was not; and if the hon. the First Minister went through the Province of Ontario and tried to convince his Reform followers there, that in sustaining Mr. Letellier in his action in the Province of Quebec, he (Mr. Mackenzie) was adopting a course in accordance with Reform principles, or in accordance with what the Reformers and every intelligent man in Ontario believed to be the proper system of good Government, he would utterly fail in convincing them of this; and they might depend upon it that when this question came to be discussed before the people of Ontario, as soon would be the case, there would be an unmistakable expression of opinion from one end of the country to the other, that the action of the Lieutenant Governor was unjustifiable; and if the House sustained it by a vote that night, such action by this House would not be carrying out legitimately and properly those principles of Responsible Government by

which they believed they were governed and on which they wished and intended to be governed. They had no idea of submitting to the power of any Lieutenant-Governor, or of investing him with the absolute right to say that, "Although the Parliament of the country thought that one particular course was right, or that one particular measure was proper, because he thought different, I will have none of it, and if you do not agree with me, I will dismiss you and send you about your business, and I will go on and try Parliament after Parliament and dissolve the House again and again." Because if the Lieutenant-Governor could do it once, when a large majority supported the Government of the day, he could do it again and try with all the assistance of the Executive to cabal, and to go on as apparently they had been going on in the Province of Quebec, in order to get a Parliament elected with the undue exercise of the Executive power to favour the views of the Lieutenant-Governor. Under such circumstances he held that the whole Dominion would rise in rebellion rather than submit to such an exercise of tyrannical and over-ruling power. In reference to this matter he would like to know why hon. gentlemen opposite had not adopted the position which, when the matter was first before the public it was conceded by their leading organ it was necessary they should adopt. In an article published in that paper it was said:—

"But any point may be constitutional and yet wrong in itself. Lieut.-Governor Letellier may have had a clear right to dismiss his Ministers and yet his doing so might have been thoroughly unjustifiable, and it seems to us this is the vital issue of the controversy."

And yet this was the issue hon. gentlemen opposite wished to evade now. Why did the hon. member for South Bruce take so little interest in this debate seeing he had been able to write such an exhaustive production on the subject as he did in his memorandum to the Colonial Office two years ago? Why had not he risen in his place and justified the course which the Lieut.-Governor had pursued, if it was capable of being justified? Why had his hon. friend from Chateauguay, a great authority on constitutional questions,

remained so silent. The hon. member for Montreal Centre certainly, though an Irishman, rose in his place and pronounced a tribute of praise in favour of Lieut.-Governor Letellier. He had done what hon. gentlemen of French extraction on the other side of the House had failed in doing. The whole secret why the action of Mr. Letellier was so satisfactory to hon. gentlemen opposite was that he had endeavoured to get rid of Toryism in Quebec with a high hand. If time allowed, he would have liked to go through some of the cases which his hon. friend from Montreal Centre had referred to and show his errors in statement. For instance the hon. gentleman stated with reference to the New Brunswick case that Mr. Sutton required his Government to repeal the Prohibition Act and that because they refused to do so he dismissed them. Now what Mr. Manners Sutton required his Government to do was nothing of the kind. What he required them to do was to dissolve Parliament, or rather, he recommended them to concur in dissolving Parliament, in order that an appeal might be made to the people, inasmuch as he believed—and subsequent events showed he was right—that in carrying out the Prohibition Act, they were going against the wishes of the people. He desired a constitutional course; the Government dissented from it; then they retired and held office till he formed a new Ministry. He took the responsibility of dissolving Parliament, and appealing to the people, and he was sustained in every step he had taken by a vote of 32 to 9. His hon. friend also referred to Lord Palmerston's case, and the complaint of the Queen as to his violation of those rules under which the intercourse of the Sovereign and Minister should be carried on. But the hon. gentleman, in quoting that case, also mis-stated the facts. If he (Mr. Cameron) recollected rightly, the complaint of Her Majesty was that Lord Palmerston had indicated to the French ambassador as a conclusion, that the Government had decided upon a certain course of action, upon which she had not been consulted, and upon which the Ministry, as a whole, had pro-

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nounced no opinion. Lord Palmerston then stated that he had only been expressing, informally, his own individual opinion, and not stating the conclusions of the Government. The subject under discussion was too long a one to be entered into at the present. It had been dealt with to some extent by his hon. friend from Sherbrooke, particularly with regard to two measures of a public character, which the Lieutenant-Governor disapproved of—the Railroad Act and the Stamp Act. The chief complaint seemed to be that Mr. DeBoucherville stated, in reference to the Railway Act, that the Legislature was controlled by rings. That statement was not sufficient, however, because rings existed and would exist in Parliament, yet it might not be a coerced Parliament. The other complaint, in reference to the conduct of certain financial matters was rather a complaint against the mode than the principle. Then with regard to his statement that all legislation was manifestly amenable to his authority, he (Mr. Cameron) did not think that could be sustained. Of course there were certain acts which must obtain his assent, and he had a right to be consulted as to the general policy of the Government, but to say every act must come before him would be to say what was manifestly unwarrantable by authority. The whole of the complaints, therefore, were of a flimsy character, and no hon. gentleman had attempted to defend them upon their merits. He contended that the acts of the Lieutenant-Governor were open to the criticism of this House, and that in the exercise of their duty they should pass a vote of censure upon him, if he was found deserving of censure.

MR. HUNTINGTON said he should be ashamed to occupy, at this late hour, much of the time of the House, but there were some points in this discussion it might be convenient to briefly consider. They had been told by the right hon. member for Kingston (Sir John A Macdonald) that the relations of a Lieutenant-Governor of this Parliament were similar to those of the Governor-General to the Parliament of England; but there was a wide

difference. Suppose the Parliament of England sent out a Governor to one of the Colonies and a similar difficulty to the present one arose, the members of that Parliament were far removed from the politics of the Colony, and the tribunal before which the difficulty would be considered, would be a non-partisan tribunal—where nothing was known of the politics of the Colony and where the alleged offence was committed, and where the adjudication would be above partisan views. But, he asked the hon. member for Kingston, the hon. members for Terrebonne, Charlevoix and North Victoria, and others, whether it was possible to conceive the discussion of such a question being carried on here with the same impartiality and absence of party feeling, as would characterise an inquiry by the Imperial Parliament into the conduct of a Colonial Governor. This was, at all events, sufficient evidence to prove the impossibility of making Parliament the tribunal for the trial of the offence, if offence were committed. He (Mr. Huntington) had taken the occasion to state his belief, when the right hon. member for Kingston had introduced his motion, that it was not entirely in accordance with constitutional views, and that it would develop into a partizan discussion. He would say for the benefit of those who chose to listen to him, for the people of Quebec, that during the elections which were to take place in Quebec during the next three weeks, there would not be an assembly in a single parish where the speeches made by those for or against the action of the Lieutenant-Governor would relate, in a more intense degree, to the local politics of the Government, than those pronounced here. They had an exhibition ground made in this House pending the elections in the neighbouring Province, which was intended not alone to vindicate the views of this Parliament on the constitutional question, but to afford pabulum to the speakers in the meetings which were to take place during the next three weeks, at Quebec. There would not be in the whole Province of Quebec, so able, so fervid, so partizan a speech against the Lieutenant-Governor, as that pronounced

by the hon. member for Terrebonne, and he might include the others who followed him. In the exercise of that right which they admitted to exist, they found themselves holding a Quebec political meeting in which hon. members were charged with the duty of discussing the constitutional question, but in which they were, in fact, pronouncing political speeches to influence the elections about to open in that Province. This was to be inferred from the fact that there was, he would not call it an indecent, but an inconvenient haste in seizing upon the opportunity of discussing this question now, in order to disturb the minds of the people to whom it had been relegated, at all events, in a constitutional way, whether an unwise one or not. This Parliament, which found this Conservative Party with an interest only in the great political issue, could have afforded to wait until the opportunity had been given the people to decide upon their own affairs. And if this House passed to-night this motion, and if, according to current rumors which the hon. member for Montreal Centre (Mr. Devlin) had shown to be correct, Joly would be supported and maintained during the coming election, in what position would this Parliament stand did it declare his action to have been unconstitutional? In what position would the hon. member for Terrebonne (Mr. Masson) stand if, when he went before his constituents, they demanded of him why he interfered with the question pending before this House, and he undertook to tell them that he had taken right constitutional ground, after having dealt, not only with the Constitution question, but having denounced with a denunciation which he (Mr. Huntington) would not characterize, the Lieut.-Governor of the Province of Quebec as if he meant something more than partizanship? The hon. member for Charlevoix (Mr. Langevin) had stated that the Lieut.-Governor was a violent, bitter partizan. Was Mr. Letellier more violent and partizan than most men in public life? Did the hon. member for Charlevoix, who had fought the Lieut.-Governor throughout a long political career, hold that he

was above partizanship and had not taken an opportunity to stab his old adversary on this high Constitutional question which the people of Quebec had been promised yesterday, would be only a Constitutional and not a partizan vote. The efforts of the hon. gentleman to-night, which had been a failure, to start up the worst possible considerations among the people of the Province of Quebec, in a histrionic, dramatic and tragic manner which he had never, perhaps, attempted before, was an evidence of the deep study which the hon. gentleman had gone through when he had prepared himself to pronounce a speech which he expected would be read and repeated in every parish in the Province. It would not be dignified for this Parliament to enter upon that struggle. If he (Mr. Huntington) were to propose a resolution it would be that it was unwise at this time to interfere in this matter and bring on a discussion which was not intended to have any effect but that of influencing the local elections of Quebec. The hon. member's speech was one which might have been pronounced in some rear parish. The responsibility of the Lieutenant-Governor's action had been taken by his Ministers, and had gone to the people for a verdict, and it was only fair they should exercise this right. The hon. member for Montreal East had sounded the warning truly, that this disposition of the Parliament to interfere was a danger to the liberty of the Local Legislature, to its existence, and to its entity. They had no right to interfere with the local elections, and it was indecent and improper that they should undertake at all to interfere in the sense claimed by the Opposition.

MR. PLUMB quoted copiously from eminent authorities in support of his view that the Lieutenant-Governor had exceeded his constitutional functions.

MR. McDUGALL (Three Rivers), said that he wished to express his opinions with regard to the great constitutional question which was then before the House, which was of extreme importance, and which interested the Province of Quebec

in particular. It was the duty of Lower Canadians to do so on this occasion. Very elaborate speeches had been delivered by hon. gentlemen sitting on that side of the House on this subject, which, by them, had been treated in an extraordinarily able manner, but less ably by the leaders of the hon. gentlemen opposite. He did not attach the same importance to the latter as he did to the former speeches. The address of the right hon. member for Kingston was a *chef d'œuvre* in every respect; and he had proved that a Governor or a Lieutenant-Governor had not the right at the present time to dismiss the Ministers under these circumstances. The right hon. gentleman had treated the constitutional question in every possible light. At the present time, under the working of the English Constitution, it was not possible even for the Queen to dismiss her Ministers, unless for reasons of an extraordinarily grave nature, and for causes which intimately affected the very existence of the State itself. In a recent case which happened at the Cape of Good Hope, where the Colony was menaced with an attack from the natives, a grave reason of State existed for such interference, as the interests of the Empire were there concerned. But what interests were at stake in the present instance? None at all in reality. The complaints of the Lieutenant-Governor were puerile, childish, and quite insufficient to justify his conduct. Since 1831, the power of the Crown had disappeared to a certain point. Nevertheless it could not be forgotten that the Crown had certain power at the present time; but the monarch had no right to dissolve the House or dismiss his Ministers, and to arrogate to himself purely and simply the power of the people. Power rested under our present system of Government with the people; this was an undoubted fact. It was necessary that some rules should exist for the guidance of the exercise of this power, which was regulated here by Parliament to begin with. In England this was done by the House of Commons and the House of Lords; and in all cases, the power was always placed with the people. Unless the people were consulted in

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the exercise of authority, this power was exercised in an arbitrary manner, and a manner contrary to all constitutional ideas and to our system of Government. This was undoubtedly the fact. If, in England, at the present time, the Sovereign committed such an act as Mr. Letellier had been guilty of, he would most certainly disappear from the scene. The Queen had perhaps a right to dismiss her Ministers in theory, but in practice, she could not do it without running the risk of losing her head, or without endangering her throne. No King or Queen in England would dare to dismiss her Ministers without incurring the danger of being dethroned, and destroyed. Let them apply this principle to our system of Government. A great error had been committed in forming this Confederation and our constitutional system. He was not an admirer of the working of this system of Government, though the fault of its origination might fall upon his political friends as well as upon his political opponents. He considered that this was an extremely hard system. It was conceived at a moment when political ideas as to Confederation were deranged by the American war. The impression was then formed that the American system was then defective, because the sovereign power was vested with the Local Governments, and the power of the Federal Government was limited to certain provisions inserted in the Constitution. The founders of our Constitution believed that they were much cleverer than other people; and that they had prepared a system which was superior to the American system. The consequence of this was that the supreme power was placed in the hands of the Central and Federal Governments, while the powers of the Local Governments were well defined. A very grave error had been committed in placing the supreme power with the Federal Government, and this was the cause of the danger in which they today found themselves. This Government was given absolute control over the Local Governments in such a way that all local legislation was capable of being submitted to the approbation and sanction of the Federal Government. What were the consequences of this

state of things? The Federal Government, whatever it might be, or the Governor in Council, which always meant the First Minister, and the other members had the right to disavow every law passed by the Local Governments; and the moment they were disavowed, they were no longer law. This was unquestionable. Hence this Government could control the Local Legislatures; and not only so, but owing to the action of Lieutenant-Governor Letellier in this instance, the danger with which their system was threatened was visible. The Lieutenant-Governor was appointed by the Federal Government; and the Governor-in-Council here was not the Governor General, a perfectly impartial authority, but the Ministers who were controlled by the First Minister, who was the dominating spirit in his Cabinet as at present organized. Everything depended on the First Minister, who appointed the Lieutenant-Governor. The Provincial Governments might be politically hostile to the Premier here, and his party, and he to assure to himself the support of a Province, could appoint one of his tools a Lieutenant-Governor. He was not now making any personal allusion. He was well acquainted with M. Letellier de St. Just, who, he had every reason to think, was a gentleman; but at the same time he admitted that His Honour was an extreme partizan. This was the state of things in the Province of Quebec. The Federal Government had appointed an out and out partizan Lieutenant-Governor, who would do, no matter what, for his party; even, perhaps, beyond the limits of reason. The facts of the present case were well known; and it was unquestionable that a *coup d'état* had been committed at Quebec. The correspondence and the explanations given, proved this beyond cavil. This was excessively clear. He did not know who had inspired His Honour to make this *coup d'état*, and all the appearances proved that it had been inspired by the Ottawa Administration, in order to seize upon power in the Province of Quebec, and to influence the approaching elections, notably in that Province, but also throughout the whole Dominion. He judged of the matter as every reason

ing man did. Certainly all the appearances and all the proofs led them to believe that this *coup d'état* was inspired with this object. The truth was this: The Province of Quebec had its particular institutions, as far as the French portion of the population was concerned, which merited preservation. Its laws were different to those in the other Provinces; the predominant religion was different, and then they had this peculiar feature, the use of the French language. In fact, the peculiar situation of the Province rendered the Confederation system a necessity. He was not a French Canadian, but simply and purely a Scotchman; but he represented a constituency which was in great part French Canadian, and the preservation of these institutions was considered a matter of very great importance to the French Canadians. The danger he wished to indicate was this: The moment they gave the power to a Lieutenant-Governor appointed by the Federal Government to dismiss his Ministers and control the legislation of the Province, they abandoned all their safeguards. There was no doubt that the First Minister of the Federal Government was the principal power in this organization, and this Minister would possibly be an Upper Canadian, a Scotchman, and a Presbyterian, one who probably would have no sympathy whatever with the institutions peculiar to Lower Canada. This Minister appointed, as Lieutenant-Governor, one of his tools, who need not necessarily be a Canadian Frenchman, nor always necessarily a Letellier de St. Just; and by these means, which were due to a very grave mistake made in the original plan as to our Constitution, the Provincial Ministry and Legislature might be controlled by the Federal Government.

**MR. MACDOUGALL (East Elgin):** Mr. Speaker, the hon. gentleman is speaking after moving an amendment which was lost.

**MR. SPEAKER:** The point is well taken. May states that it is a desirable rule that where a member has moved or seconded a motion for the adjournment of a debate, after his motion has been negatived, he is not

entitled to speak again to the main question.

**MR. McDOUGALL (Three Rivers):** I am speaking to the point of order.

**MR. SPEAKER:** The hon. gentleman is out of order.

**MR. CIMON** said he would complete the speech of the hon. member for Three Rivers, which was of the greatest importance. The noises made by hon. gentlemen opposite were their cries of conscience, produced by remorse, owing to the vote which they were going to give against the motion of the right hon. member for Kingston. There were no two roads by which one could arrive at a decision respecting the question which was before the House. He heard cries which hon. members certainly could not make. There were evidently strangers in the House. He thought that Mr. Speaker should repress the disorder or leave the Chair.

**MR. SPEAKER:** Mr. Speaker will discharge his duty as he thinks it ought to be discharged. I have again and again appealed to hon. members of the House to try and conduct the debates, if they are to proceed, in a quiet and proper manner; and I now appeal to hon. gentlemen on both sides of the House to come to an arrangement, and put an end to what I must regard as a most unseemly style of proceeding.

**MR. CIMON** said these noises were necessary to stifle the cries of the consciences of hon. gentlemen opposite. The day would yet come when these hon. gentlemen would have to go before the people and their constituents, and then they would find that these interruptions would be to them of little avail. The liberties of Lower Canada were now in peril. Popular rights and popular liberties were in danger. Two French-Canadian members of the present Government had instigated Mr. Letellier's *coup d'état*. The British North America Act was their charter of liberty; and its provisions had been atrociously violated by the Lieutenant-Governor. He demanded a hearing. If Sir John A. Macdonald returned to power, a Conservative Lieutenant-Governor might be sent to Quebec, where Mr. Joly

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might possibly have 25 of a majority ; and, acting like Mr. Letellier, open the door and expel him from office. Their ancestors had conquered the rights and privileges which they enjoyed at the price of their blood on the scaffold and on the field of battle, and yet this was treated by hon. gentlemen opposite as a matter of little importance, when it was in reality of vital moment. There was not a man in the House who would vote against the motion of the right hon. member for Kingston, who would not say that this act of the Lieut.-Governor was not only illegal but an outrage. He left this matter with the consciences of hon. members, who would each feel that in voting against this motion, that he was committing an act for which he would be subject to reproach until the end of his life. He did not share the hypocrisy of hon. gentlemen opposite. He had the greatest respect for the hon. member for Chateauguay, the Nestor of the House, who, if he would tell the hon. gentlemen opposite conscientiously what he thought, and what he believed about this matter, he would certainly exercise a great influence, and be of great utility in bringing these hon. gentlemen to vote for the motion of the right hon. gentleman ; but the Nestor of the House saw that the counsel which he would give to the hon. gentlemen would be to vote for this motion. The House should not reject this motion, and place itself fifty years behind the age. What had happened in this relation was known as about to occur three months ago, when he had heard of it, and six months ago he had heard that a great *coup d'état* was contemplated in the Province of Quebec. This affirmation was not made lightly, but seriously ; and he could sustain it by proof, viz. :—this *coup d'état* was meditated over six months ago, and meditated by members who sat on the other side of the House. This act was advised by hon. gentlemen opposite. To vote down this motion would be to declare that a Lieutenant-Governor had a right to dismiss Ministers in favour of his own political party. It had been proposed by the hon. the First Minister to hold the local and federal elections together, but the *coup d'état* was not

well received by the House, and the hon. the First Minister was obliged to change his plans. The local elections were then ordered first ; and the hon. gentleman was trying to justify himself before the people of the Dominion of Canada. Hon gentlemen opposite had changed their tactics. The hon. the First Minister said that they had nothing to do with local elections ; but in 1872, the New Brunswick School question came before the House, and it was brought up by the hon. gentlemen opposite, who, though they had made this pretension, then held when they sought to obtain a vote against the Conservative Government of the day, that this House had something to do with provincial affairs. A manifest outrage had been committed in the Province of Quebec. The Lieutenant-Governor wished to govern the people against their will, and to chain down the popular will and privileges. In order to restore His Honour to his senses, some authority should be exercised by this Government. If this Administration did not do so, what could bring a Lieutenant-Governor under such circumstances to his senses ? Had the supplies been granted before the De Boucherville Government was dismissed, the Joly Cabinet could have remained for a year in power against the will of the people. He thought that if the hon. member for L'Islet would reveal the interviews that had taken place before this *coup d'état* occurred, the hon. gentleman would have something very interesting to say on this subject. Some authority over the Lieutenant-Governor must exist, and it rested with this Parliament and the Government of the Dominion, and in the hands of the hon. the First Minister. The hon. gentleman (Mr. Mackenzie) dare not say that the Lieut.-Governor was right ; and, in failing to defend the act, the hon. gentleman admitted that His Honour was guilty of the serious offence laid to his charge. This House had jurisdiction over and could censure the Lieut.-Governor, who had done a great wrong. Supposing the Governor-General dismissed this Ministry because a large number of the members had had contracts with the Government and did not occupy in-

dependent positions, these hon. gentlemen would not approve of this action. The "rings" to which the allusion had been made as to the Quebec Legislature had been composed of men sent there by their constituents to advocate and seek from the Local Government the construction of railways. These were honest rings and not dishonest rings such as were in this House during other Sessions in connection with the Government. The latter were contractors who sought to enrich themselves, not to benefit their constituents; this was the difference between those two kinds of rings. The Lieut.-Governor had advanced false assertions in his letters to His Excellency the Governor-General. The Lieut.-Governor was a representative of the Crown; and in case the motion of the right hon. member for Kingston was defeated, the Crown would be placed in a false position. The rights and liberties of the people, acquired by such great sacrifices, were in serious danger. Hon. gentlemen opposite were bent on stifling these liberties, and their consciences troubles them. The DeBoucherville Government had been supported by a majority of the people in the Province. Three years ago, Mr. DeBoucherville was urged to build a railway from Quebec to Hull, but he informed the towns interested, that the Province had not enough means to build it. The towns replied: "Build this North Shore Railway, and we will subscribe the three millions." This was done; but when the work was terminated, and it was necessary to pay the contractors, these towns refused to meet their obligations; and the Liberal members, who were accustomed to advocate the interests of the people, came to the inhabitants and told them that the Conservatives were increasing the taxation for the benefit of the towns. Liberals had no principles; they never had had any, and they never would have any. The conduct of the Liberals, under these circumstances, reminded him of the fable concerning the rat of the town and the rat of the country. The Minister of Justice, and the Minister of Inland Revenue, were involved in this matter. He had a great speech to deliver on

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this subject, but he would reserve it for another occasion. He now begged to move that this House do now adjourn.

MR. MCDUGALL (Three Rivers) said that Lieutenant-Governors were purely and simply creations of this Government, under whose control they were. He would frankly say, that he believed Governor Letellier had been influenced in his action on the part of the Federal Government, with the view of seizing upon the Government of Quebec, in order to bring about and control the elections. The hon. the Premier said that they had nothing to do with this question, which ought to be simply referred to the people for decision. But this was not an expression of opinion worthy of a statesman. The Lieutenant-Governor, as well as the Local Government derived his power from this Parliament. The Lieutenant-Governor was certainly the creation of this Government, and under its jurisdiction and control. Had they a right to speak of the Lieutenant-Governor, and not to criticize his conduct? If the Governors of colonies did not perform their duties strictly according to the letter of their commissions, these matters could be brought up in the Imperial Parliament; the same thing was true with regard to our Lieutenant-Governors. These gentlemen were employed under the jurisdiction of the Government that appointed them. Lieutenant-Governors were strictly under the control of this Government and Parliament, and not only so, but this Government was responsible for their conduct. It was an absurdity to say that the Constitution was written. The English Constitution had not been written, because it never remained the same for twenty four hours together. It constantly varied, according to the exigencies of the time and country. Our Constitution had been extremely badly devised. The power had been distributed in a manner of which he did not approve. Lieutenant-Governors should not have the attributes of the Sovereign, who was wholly placed above party, while our Lieutenant-Governors were the creation of party. Mr. Letellier was appointed by the

party now in power, and he held extremely pronounced partizan views. This fact was recognized even here; and he could not divest himself of partizanship during his term of office. The same remark applied to the other Lieutenant-Governors. Hon. gentlemen opposite knew the advantage obtained by going to the people with the reins of power in their hands; they well knew that the DeBoucherville Government had a strong majority in both Houses. And what had they done? The Lieutenant-Governor menaced his Ministers with a change; and, having dismissed the DeBoucherville Administration, it was known that the new Government exercised not only patronage, but also terrorism. It had not only favours to accord, but also debts to collect, and their rights in Lower Canada would be sacrificed, if the Lieutenant Governor, the creator of the Ottawa Administration, could control or dismiss Governments at pleasure. What guarantees had they then against danger to their privileges? The Lieutenant-Governor, under such circumstances, arrogated to himself the right of making the legislation. This attempt upon the rights and liberties, could not be allowed to pass without criticism and condemnation.

Mr. METHOT said that taking the floor of the House at this late hour, seven, a.m., he did not intend to quote largely the authorities and precedents in regard to the constitutionality of the act. Many prominent members had done so before him, and all that he intended, was to show the character of the facts by the contradictions of the facts themselves, as they had stood in the Lieutenant-Governor's memorandum. We had no need of genius, but only a little common sense and judgment to consider the matter at issue. He did not know, for his part, much about the Constitution of this country. He had not studied it particularly, but we had only to read the Message of the Lieutenant-Governor, to see at once that the man who wrote it, had, long before he committed this *coup d'état*, decided to commit it; and that as soon as he was appointed Lieutenant-Governor of Quebec, as was plain from his Message

and acts, he premeditated this step. He (Mr. Methot) for his part, would not accuse the Government here with having appointed Mr. Letellier, in order to destroy the late Government of the Province of Quebec. This was not his intention. He did not wish to impute bad motives to any of the hon. members of this House; but he must say that a crowd of circumstances in connection with this *coup d'état* presented themselves before the country, which were of a nature to make it believe that there was premeditation, if not on the part of those who made this appointment, at least on the part of His Honour himself. In common with all the members of the House, the Lieutenant Governor of Quebec was, previous to his occupancy of this high position as the representative of Her Majesty the Queen, a strong politician and a warm political partizan, and a man who, from the commencement of his political life, had actively engaged in political contests; he had energetically taken part in the discussions in Parliament, he was habituated to political struggles, he was passionately fond of these political contests, and it was easy to see that His Honour taking this position was not immediately able to become thoroughly impartial. His Honour could not at once free himself from the influence of party spirit when he went to Quebec, where he had for his advisers gentlemen who were entitled to his cordial support, people whom he had always bitterly opposed politically. He had stated a moment since that there was no need for great political knowledge or great knowledge of the Constitution in order to judge of the question now before the House; they only required to consider the message transmitted to His Excellency the Governor-General to perceive that it was imbued with party and partizan spirit. The hon. member for L'Islet seemed to have a cordial feeling towards His Honour the Lieutenant-Governor; this he (Mr. Methot) did not doubt, for in that gentleman's family this cordial feeling always existed, and it did not surprise him, because, if he could rely on what he had seen, that family had drawn from the Government over one hundred and

eighteen thousand dollars in five years. In the Message which His Honour sent up, were visible three, and even more than three, falsehoods of the strongest character — falsehoods which His Honour himself was incapable of uttering, but of which, uttered by others, he, nevertheless, approved. When the Lieutenant-Governor of Quebec dismissed the late Ministry, what was declared by the Liberal Press? A falsehood of the most extreme and unequivocal character. This portion of the Press at once alleged that the late Provincial Ministry had not been driven from office. They wished to cause the impression in this country that these Ministers had resigned, and this rumour was supported and circulated by the hottest partizans of the Lieutenant-Governor. It was distributed by the persons whom he now heard making a noise in this House, interrupting hon. gentlemen who sought to discuss the great constitutional question of the day. He must say that these hon. gentlemen had endeavoured to make the country believe that these Ministers had not been able to agree among themselves, and that, having some difficulties with the Lieutenant-Governor of the Province, they had resigned their portfolios. They did not dare to face the constitutional and political issue that was opened by the action of His Honour. They at first tried to avoid it and to escape from it; the same as to-day they endeavoured to escape from the present discussion and to prevent the members of the Opposition from defending the position which the latter had taken on this great question, and which they were defending successfully. Hon. gentlemen opposite tried to make out that the late Provincial Ministry had not been driven from office, but, on reading the message from His Honour, they would find proof to the contrary. His Honour distinctly declared, in his letter to his late advisers, that, under the circumstances, he had no further need of their services. This was not the only inaccuracy that was contained in His Honour's memorandum. The hon. the First Minister had risen and said that they had no right and should not discuss

this question at the present moment, because to do so would influence the elections in the Province of Quebec. Why, then, did the hon. the First Minister come and place on the table of the House, not explanations such as those which the late Ministers had presented, but a *plaidoyer* by His Honour in justification of his conduct? It was His Honour then who had forced them to discuss his position and to defend their own position before this House. This was what the members of the Opposition had done, and they had performed this duty in a courageous, and, as the English said, in a manly manner. They had not acted as hon. gentlemen opposite were conducting themselves at that moment. They had not endeavoured to elude the issue. They had on the contrary considered it frankly, and he was to-day proud to belong to the Conservative party and proud to act under the leadership of the right hon. member for Kingston. And why? Because he had seen that when the right hon. gentleman had an opinion on any subject, he was not ashamed to defend it before this House, and this was what he could not say to the honour of their opponents, who sat on the other side of the Chamber, among whom he had many friends. The inaccuracy he had mentioned was not the only inaccuracy contained in the memorandum of His Honour. They found among the reasons which His Honour gave for having expelled his late advisers from office, two statements, which in order to express himself in a parliamentary manner, he would term inaccuracies and not falsehoods. These were reasons which were utterly untrue. One of them gave it to be understood that His Honour had had very disagreeable relations with his Ministers and that they had acted in an unconstitutional manner. His Honour came before the House, not only to utter a *menterie*, but also to endeavour to insinuate and make believe what he knew was false; he came before the House to declare that a measure which was presented to him for his assent was then incomplete. But did not his Honour know that when he sanctioned this measure, he approved on the same day of a measure which was introduced

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to amend the typographical error which he dared say was committed in that Bill. This measure had passed through two stages in the Legislative Council, in accordance with Parliamentary usage. It was the custom therefore, not perhaps the practice in this House, in the Legislative Council when a measure originated there, which imposed some penalty, not to fix this penalty; and this was done in the present instance. The Bill then came before the House, and this happened in the last days of the Session. It passed through Committee, but whether the amount of the penalty was fixed or not he did not know. By some error the Act was sent to the printer, without any amount being named, and this was one of the reasons His Honour gave for dismissing his Ministers. Was this due to bad faith or an error on the part of His Honour? He thought that it was difficult to decide. He was greatly perplexed to decide between the two; but it seemed to him that it was difficult to believe that it was an error. The Bill had passed through three readings, and this defect could not be amended in the same Bill. The Ministry then at once introduced another measure to amend this Bill; and this was so much the case, that if the two Bills were examined, they would be found to follow one another in the Statute. These two Bills were at at once submitted, but in lieu of sanctioning this other Bill His Honour objected to it. For his part he (Mr. Méthot) believed that His Honour should have approved of it, and not devoted himself to the work of pointing out typographical faults. If he did so, then the hon. member for Lévis would have little to do. He (Mr. Méthot) must confess he believed that His Honour showed bad faith when, with his knowledge of the facts—that there was another Bill to amend this one—he gave, in his memorandum, this statement as a reason for disagreement between himself and his proper advisers. There were manifest falsities in the statements of the Lieutenant-Governor, and there was no need to peruse the memorandum of the Hon. Mr. DeBoucherville to discover them. They were easily discerned, and they could be clearly

pointed out. Were the pettier reasons given by this House in justification of his arbitrary conduct—such as a sensible man could accept for such an action? His Honour alleged that his late Ministers had not done their duty, and that they had not known enough to correct and revise the Statutes; but the man who held so strongly to his Ministers doing their duty, had to tell the House that when the Legislature was in full session, and at a moment when the Lieutenant-Governor should be as much as possible at the seat of Government, he was at River Ouelle. During this period His Honour was seen at Montreal, and from one town to another, though his presence was required at the Provincial Capital. His Honour said to his Ministers: "Do your duty strictly; do not infringe upon my prerogative—I will not suffer it—but I will go promenading." If His Honour had so much regard for the interests of the country, and had them so much at heart, and was sincere when he alleged that he had acted with a pure desire to defend the country's interests, he should have remained at the seat of Government, at all events, during the Session, where he would have had full knowledge of the measures introduced by his Government, and would have followed them; and as an hon. member had stated the other evening, His Honour would then have performed his duty, which consisted in notifying his advisers of the fact, if a measure did not please him. On the contrary, His Honour abstained from adopting this course, and kept away from the capital, sending up forms signed in blank to serve for the introduction of measures, which required his support and authorization. In this His Honour had acted as if his Ministers had his entire confidence; but in his memorandum His Honour showed the greatest reserve, and a reserve which was not justified by the practice here. As the right hon. member for Kingston had stated, a great number of the measures which were introduced here, did not have the approval of His Excellency the Governor General at the time of their introduction. His Excellency had at this period, indeed, never seen them. And why? Because a great many of these matters were

mere questions of routine. He would ask Mr. Speaker whether he signed his name to the votes and proceedings in the issue for each day of the Session. Did not His Honour authorize the Clerk of the House to sign these matters for the most part. The same thing ought to be true in connection with the position of Lieutenant-Governor. There ought to be a great number of measures, or resolutions, which were brought before the House, but which, even the Governor might not have seen. If, however, this officer wished to see and follow them, he should remain at his post; but when he went away and stationed himself at a distance of from 60 to 100 leagues from the capital, where was his seat of Government, and sent the Government blank forms of authorization, had the Government not a right to say that the Lieutenant-Governor had sanctioned every measure which they had submitted to the House? And these were the facts which had been established in this case. But, nevertheless, His Honour, in the manifesto, or, rather, the *plaidoyer*, which had been presented to the House, assumed the position of a lecturer on these points. His Honour told a falsehood when he pretended that the late Government proposed to tax the country and increase the Provincial debt in aid of railway construction; but he (Mr. Méthot) was a member of the Quebec Parliament when the law was passed which authorized the Government, in case the subsidies granted to different railways on the south shore for a certain number of years, lapsed, to divert them to other purposes; and this was what had been done by the DeBoucherville Administration. Nevertheless, this was one of the reasons given by the Lieutenant-Governor for driving his advisers from office, and forcing them to abandon their positions. It could not be pretended that the late Government of the Province had, without good reason, decided to impose the tax of 15c. on the hundred dollars on all contracts and obligations. In this relation he would merely point out to the House what had not yet been mentioned, but what, nevertheless, everybody understood, viz., this tax was decided upon simply because the

subscriptions to the North Shore Railway by certain municipalities and towns which ought, in justice, to have been paid, had not been paid; and it, consequently, became necessary to take this step, in order to enable the Government to fulfil their obligations; but, when the Government declared that it would force these municipalities to pay their subscriptions to a great work which they themselves had caused in the first instance, to be undertaken, and without which this law would never have been proposed, or the Province so heavily burdened with debt, a great outcry was raised. He would, for his part, merely say that there was a contradiction, and a flagrant contradiction, in the two declarations which were made with regard to the present Government of Quebec. On the one hand, it was pretended by the Joly Administration in the Address issued to the Electors, that the law which would have forced the Municipalities to pay their subscriptions to the railway was unjust; and on the other hand, it was alleged that this 15 cents tax ought not to be imposed on the population, but if the Municipalities had honoured their subscriptions, the late Government of the Province would never have been obliged to propose the tax in question; and if they did not force the Municipalities to pay, then it was necessary to obtain money in some way, and to impose this tax. He would say more; that by the delay which this action of His Honour had rendered necessary with regard to the completion of the North Shore Railway, at least double the amount which this tax would have realized would be lost to the Province, for thus the chance of leasing this Railroad would certainly be deferred for at least twelve months; and the lease of this line would bring into the Provincial Treasury a sum at least equal to, if not double, the amount which the tax of 15 cents on the hundred dollars would have contributed to the revenue. But it was easy to see what His Honour wished, and hoped, and here really lay the whole cause of His Honour's conduct in this connection. They saw His Honour at Quebec working in order to bring into power a Government which would aid his political

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friends in conducting the general elections that were to take place this Fall, and in consequence of this state of things, he pursued a policy with as much prudence and wisdom as he could show, calculated to embarrass his constitutional advisers; and when they brought before the House, measures which he knew were dangerous as regarded the popularity of his Ministers, he allowed them to do so and to introduce these measures in the House. And why? Because he intended to make a move later, and to take advantage of their position for the benefit of his political friends. After all, His Honour hoped to obtain the support of a number of Conservatives in the Legislature; but he was deceived in this expectation. The members of the Legislative Assembly showed that they were worthy of their positions. Above all, they proved that they were independent, as members of the House ought to be independent. This was true independence, for they proved themselves independent of public opinion, which naturally was always opposed to taxation, and, to a certain point, they exhibited independence with regard to their leaders. To-day, this matter was before the electors for judgment, and the country would now judge, as they always did, the men who had chosen to pursue an honourable, an honest and an inflexible course. The Lieut.-Governor had been deceived in his hopes. His Honour believed that the members of the Legislature would overthrow the Government; that he would bring his friends into power, and that the elections would be carried on with respect to the question of the taxation, which he had, in fact, recommended; but again His Honour was deceived in his expectations, and he acted too hastily to secure his objects. His Honour did not know that the supplies had not been voted, otherwise he would have waited longer before acting; but his hopes made him do what he did. When he dismissed his Ministers, he expected that he could delay the local elections, which he knew would be unfavourable to him, until after the Federal elections; but, unfortunately for His Honour, the supplies had not been voted, and it was necessary that, by the 1st of June,

the elections should take place. In their embarrassment, His Honour's friends hurried up to Ottawa for council, and if rumour was true, they came here to ask the Federal Government to order their elections at once. During several days after His Honour had expelled his Ministers from office, the Local Legislature was in complete ignorance of the reasons which had induced him to take this step; and when these were communicated they were felt to be so futile, that they must be improved upon; and hence the long *plaidoyer* which had been presented to this House. He believed that His Honour had shown that there was no need for understanding the constitutional question, or any part of it, or to be a distinguished advocate in order to be able to form an opinion on the matter which was before the House. It sufficed to read the documents which were presented for their consideration, to see how matters stood; and to-day, from what they had been able to see, it was plain that the country would judge impartially these facts and condemn energetically the *coup d'état* which had been committed by the Lieutenant-Governor of the Province of Quebec; having made these few remarks, he would conclude by stating that he would support, with all his power, the motion of the right hon. member for Kingston.

MR. DOMVILLE followed, dwelling on the gravity of the charges against the Lieutenant-Governor, and urging that steps be taken to prevent a recurrence of his acts.

MR. ORTON said he had listened to a most eloquent description of the British Constitution from the right hon. member for Kingston, who had shown that up to the present time Canada had enjoyed all the privileges and benefits of Responsible Government. Indeed, the people of Canada had in times past been accustomed to pride themselves on the fact that in this Dominion were exemplified to greater perfection than even in the Mother Country all the beauties of the British Constitution. It had been the pride and the desire of every true patriot in this country to try and perpetuate on this continent the institu-

tions which they all so much revered. But when he viewed the events which had occurred within the past few weeks, he felt that there was serious danger threatening the institutions of this country. They must lead to doubts as to whether this Confederation was one that would adhere together, that would perpetuate the principles of Constitutional Government. It was a matter of grave doubt as to whether the giving to the Provinces the privilege of local self Government was one that would not in the future be fraught with great danger. It was also a matter of grave doubt whether the multiplying of the representatives of the Crown in this country was not a source of serious danger to our institutions. It was not his intention, at present, to enter into the constitutional portion of the question, which had been so ably discussed by those hon. gentlemen who had preceded him, on this side of the House. The marked silence of the hon. the First Minister and his supporters, in discussing this question, on the constitutional point involved, was sufficient proof that they felt themselves unable to justify the action of the Lieutenant-Governor of Quebec. Why had not the hon. member for South Bruce spoken on this subject? Was the Lieutenant-Governor's action endorsed by the Government? If it was, the House should have heard the opinions of that eloquent and able member on the subject. Surely the daring stretch of authority of Lieutenant-Governor Letellier was sufficiently serious to call for his opinion. But, no; the hon. member for South Bruce remained significantly silent, not only silent, but absent during the greater part of the discussion. Not only did the hon. member for South Bruce remain silent, but the hon. the Minister of the Interior, who prided himself on his knowledge of constitutional questions, had not given his views on this action of the Lieutenant-Governor of Quebec, which had shaken to their very foundation the institutions of this country, and had created consternation from one end of the Dominion to the other. Not only was the silence of hon. gentlemen opposite significant, but the speeches deliver-

ed by hon. gentlemen supporting the Government as well as that of the hon. the Premier, were of a character to create alarm in the minds of all anxious for their country's welfare. The light, flippant manner in which the hon. the Premier treated this question proved that he was not equal to the occasion. He should have risen above party prejudices, and have thoroughly grappled with the question and discussed its merits from a constitutional point of view. He would quote from May, in referring to events which occurred in the reign of George III. He said: "From this time no question has arisen concerning the exercise of the prerogatives or influence, of the Crown, which calls for notice. Both have been exercised wisely, justly and in the true spirit of the Constitution, Ministers enjoying the confidence of Parliament, have never claimed in vain the confidence of the Crown. Their measures have not been thwarted by secret influence, and irresponsible advice. Their policy has been directed by Parliament, and not by the will of the Sovereign or the intrigues of the Court. Vast as is the power of the Crown, it has been exercised, throughout the present reign, by the advice of responsible Ministers, in a constitutional manner, and for legitimate objects. It has been held in trust, as it were, for the benefit of the people. Hence it has ceased to excite either the jealousy of rival parties or popular discontents. This judicious exercise of the royal authority, while it has conduced to the good government of the State, has sustained the moral influence of the Crown, and the devoted loyalty of a free people has never been disturbed by the voice of faction." This was a description of how the prerogatives of the Crown should be exercised. No intelligent member could read the causes given by the Lieutenant-Governor of Quebec for his conduct, without being struck with their trivial, and almost absurd character. One of them appeared to be the setting aside of a day for general thanksgiving, which, it appeared, had been officially communicated by him to the DeBoucherville Ministry on instructions from Ottawa. He would not further refer to the reasons

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given, but he would say that if such a proceeding had taken place in Ontario, there would have been indignation meetings from one end of the Province to the other. Living in close contiguity to a great and powerful republic, there was great danger that the disrespect for our institutions caused by the action of Lieutenant-Governor Letellier, would develop itself into an admiration for republican institutions, and tend to subvert our Constitution. It not only endangered Responsible Government, but it brought into disrespect our noble Queen. The danger was very great that the high handed and tyrannical conduct of Lieutenant-Governor Letellier would bring disrespect upon the Crown, not only in this country but it might have an influence even upon the British Empire. They all knew that reverence for the Queen was one of the strongest powers in preserving the loyalty and fidelity of the inhabitants of this country; this great respect for our Queen and her authority was in a great degree an element, which held together the great British Empire in India. It behoved them, therefore, if they were to remain true to Great Britain, and true to their country, to denounce this unworthy and unwise step which had been taken by the Lieutenant-Governor of Quebec. He could not help contrasting the Speech made by the hon. Minister of Inland Revenue, on this subject and that made by the hon. gentleman last summer at Quebec, a speech in which he laid down the principles of the Liberal Party at that day, which were mingled with expressions of the loyalty and devotion to the Crown that he and the party to which he belonged held so steadfastly; for when the hon. gentleman the other night made his flippant remarks, they did not hear his eloquence in support of preserving the dignity of the Crown and the duties of Responsible Government in this country, but simply to forward the sordid interests of his party in the Province of Quebec, and enable them to grasp office at any sacrifice. He (Mr. Orton), could not help feeling that the occasion was one which might justify the impeachment of the Lieutenant-Governor as a traitor to his Queen and his country, when they took into consideration that

it might be used as a precedent by other Lieutenant-Governors for dismissing their Ministries, and tending to alarming disputes and other confusion between the different authorities in our constitutional system. It had been said throughout the country, that the action of the Lieutenant-Governor of Quebec was simply the outcome of a deep laid scheme; and when they saw the position of the present Government throughout the country, as so plainly indicated on many occasions,—when they saw the great unpopularity of this Government, and its action denounced through the length and breadth of the land, not by Conservatives, but even by Reformers—when they saw the Liberal newspapers denouncing the leaders of the present Government as traitors to the Reform party, and saw assemblies of Reformers passing indignant resolutions, as they had done in his county, against the course of the Government during their reign, and when they saw these and other evidences of unpopularity,—they, the people, could not help thinking there might be some truth in the motives applied by the public to the action of the Lieutenant-Governor. They could not help thinking that he had been influenced by this Government, that it was the desperate game of a desperate Ministry, the game of a Ministry who knew they were about to meet a disappointed people, and wished to bring to bear upon the people the influence attaching to the patronage of the Crown in the Province of Quebec. He dared not allow himself to believe that the Prime Minister (Mr. Mackenzie) allowed himself to be a party to this plot, as he had a higher opinion of him individually; and if it had been done, it was by those who were desirous of power, regardless of the best interests of the country. The conduct of the Government and its followers on this occasion, would lead one to suppose they intended that the whole power of the Dominion Government should be used to condone the offences of the Lieutenant-Governor of Quebec, and in that way enable him to carry through the elections, and form a new Cabinet successfully. Such a course was as traitorous and deserving of censure as the action of the Lieu-

tenant-Governor. What the result of the resolution before the House would be, he knew not; but he hoped there would be found some hon. members, supporters of this Government, sufficiently independent, and with a due sense of the responsibility of their position, and with sufficient patriotism to vote for it, and thus show their disapproval of the dangerous course of the partizan Lieutenant-Governor of Quebec. It was, however, he was sorry to say, doubtful whether hon. members on the Government side would have courage to take up such an independent and patriotic position. The House had seen too many instances of the too confiding character of the followers of the present Government. They had seen many gross wrongs upheld by the Government followers, such acts as the Goderich Harbour contract, Kaministiquia job and other gross improprieties on the part of the Government. He would now proceed to read some quotations in reference to the position of the Lieutenant-Governor in Quebec, and to show the language in which similar actions had been referred to. In the reign of George III. there was an occurrence in many respects identical with the present difficulty. The King conceived against his Ministry a personal hostility, of so bitter a character that after restraining himself for a great length of time he at last took a step, which was fraught with great danger to Responsible Government, and the progress it had then made in Great Britain at that time. He would read a few extracts with regard to that event from May. Referring to the latest precedent in British History, to the conduct of the Lieutenant-Governor of Quebec, that of George III., dismissing the Pitt Government, he said: "It was the King's object not only to supplant one party, and establish another in its place, but to create a party faithful to himself, regarding his personal wishes, carrying out his policy, and dependent on his will." And then referring to what a Constitutional Government was, he went on to say: "A Constitutional Government insures to the Government a wide authority in all the Councils of the State. He chooses and dismisses his

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Ministers. Their resolutions are submitted to his approval, and when that approval is withheld, his Ministers must either resign or abandon their policy. They are responsible to the King on one hand, and to Parliament on the other, and while they return the confidence of the King by administering affairs to his satisfaction, they must act upon principles and propose measures which they can justify to Parliament. And here is the proper limit to the King's influence. As he governs by Responsible Ministers, he must recognize their responsibilities. They are not only his Ministers, but also the public servants of a free country. But an influence in the direction of affairs thus limited, by no means satisfied the ambition of the King. It will be seen that when Ministers, not of his own choice, were in office, he plotted against them; and when he succeeded in establishing his friends in office, he enforced upon them the adoption of his own policy. The King's tactics were fraught with danger as well to the Crown itself as to the constitutional liberties of the people. To revert to a policy under which Kings governed, and Ministers had executed their orders, was in itself a dangerous retrogression in the principles of Constitutional Government. But the liberties of the people were exposed to greater peril than the Crown." There they had a King plotting against his Ministers, and that seemed to be the position of the Lieutenant-Governor of Quebec. There were grave grounds for thinking that it was a plot into which he had been led by others for party purposes. They could not help but admire the course taken by the DeBoucherville Government, and the temperate manner in which Mr. DeBoucherville remonstrated with the Lieutenant-Governor with regard to this. Mr. DeBoucherville had the confidence of the Local Parliament by a large majority, and it remained yet to be seen whether the tactics of Mr. Lottellier were to be altogether successful. It was true, he had succeeded in dismissing his Ministry, in bringing an appeal to the people, under such circumstances as might divert them from the real issue they had now before this

House, namely, the danger to Responsible Government of this daring exercise of authority by the Lieutenant-Governor. But he (Mr. Orton) thought it was the sincere desire of every patriotic man in this House and country that ignominious failure should be the result of such a step. It appeared to him that Mr. Letellier had been moved more by party influences than by any desire to preserve, as it should be, the Constitutional purity of the Crown. He (Mr. Orton) felt that he had faithfully fulfilled a duty which he owed to his constituents, in expressing, as he had done, the indignation which he knew was felt throughout his county at the course taken by Mr. Letellier; having done that, he left the matter in the hands of the House, trusting that the patriotic feeling of members on both sides would be sufficiently strong and expressive; that good judgment and wise counsel would prevail, and that the result of this vote would be such as to show that this House had given it as its opinion that it was unwise, that it was against the best interests of the country, that it endangered the liberties of the people of our young and promising Dominion, and was calculated to bring into disrepute the prerogative of the Crown, and therefore traitorous, at the very foundation of our system of Government, to have dared to act in the manner Lieutenant-Governor Letellier had done.

MR. OUMET said that hon. gentlemen opposite were trying to prevent hon. members of the Opposition from expressing their sentiments, as they had a right to do in the House, with regard to the question of vital importance which was before them for discussion. The conduct of hon. gentlemen opposite would be accepted in the Province of Quebec and elsewhere, as proof that the Government had decided to *endormir* the House, so to speak, in order to prevent the continuation of this debate, which, probably, was not very agreeable to the Administration. It was the habit of those hon. gentlemen to prevent free debate. The Government and their Liberal friends agreed with marvellous unanimity on this point. Everywhere they

commanded the majority; the Conservatives were hindered from speaking, and forced by them to keep silence. But, he nevertheless believed that, at the present moment, the voice of the people was too strong and too unanimously supported in the House to allow the advocates of the people's rights, members of the Opposition, to be tyrannically and arbitrarily dictated to by the Government and its followers, as was done in the Session of 1874. He remembered that in 1874, the Liberals, through their journals and on the hustings, said that the twenty-three incapables who represented Lower Canada in the Opposition, were unable to make their voices heard in this Parliament, or to be heard by the flexible and servile majority which supported the Administration. No one present during the first Session of the present Parliament had forgotten that, in fact, they could not then be heard; but since that period the good sense of the people had triumphed, and on each occasion that supporters of the Government had been sent back to their constituents, the people had returned Conservatives to come here, and defend what the people of Lower Canada called their rights, their language, their nationality, and their institutions. He regretted the painful occurrence which had given rise to the present discussion. The French Canadians had been proud to have secured the free exercise of their rights, their language and their institutions in the beautiful Province which their forefathers had watered with their blood to gain those liberties; they, in fine, had obtained the right of having one of their countrymen to act as the representative of Her Majesty, and they were proud to have a French Canadian wearing not precisely the Crown but, acting as the representative of Her Britannic Majesty, who ruled the glorious British Empire. But he considered that they ought now to be deeply humiliated on seeing that this high position had fallen into hands so unworthy as those of the person who now presided over the destinies of Lower Canada, despotically and tyrannically—His Honour, Mr. Letellier, whom the people of Lower Canada in

view of recent circumstances called Luc the First, (*Luc Premier*.) He hoped that the cry of indignation which the act of His Honour would raise throughout the whole Province of Quebec, would prevent any such act ever again being attempted. The French Canadians were proud to say that they understood British Institutions. To such a degree was this the case that the noble Lord who presided over the destinies of the Dominion as Governor-General, had complimented the French Canadians on understanding the importance and the manner of working British Institutions, and there were none more loyal to Her Majesty or more worthy the name of British people than they in the Dominion. But to-day this opinion must be changed since Mr. Letellier had deemed proper to play the tyrant, and reawaken in their midst the traditions of the middle ages, the age of barbarism, which had for a long time past disappeared for the glory of the world, and which he hoped would never reappear in their beautiful Province. He begged permission to pass in review as briefly as possible the different propositions placed before the House by the right hon. member for Kingston, which propositions by the way had been admitted to be correct by the hon. the First Minister. The first proposition was, that Lieutenant-Governors under the British North America Act, were appointed by the Governor of Canada in Council, as the representatives of the Governor-General in the Provinces, and their relations towards the Governor-General were precisely the same as the relations which existed between the Governor-General and Her Majesty in Council. The Governor-General in all that concerned British institutions was responsible to Her Majesty in Council, and his acts might be censured or approved by the Imperial Government, the same as the Lieutenant-Governor in the Province of Quebec was responsible to the Governor-General here; and as the conduct of the Governor-General could be criticised in the Imperial Parliament, so could the conduct of the Lieutenant-Governor be discussed in this House. This principle was admitted on both sides of the

Chamber. If followed from these premises that the present debate was essentially constitutional, and essentially in agreement with the spirit of the Constitution by which we were governed, and if this debate was constitutional and in conformity with the spirit of the Constitution, and if they could discuss the conduct of the Lieutenant-Governor with regard to the circumstances which determined him to dismiss his Ministers, it equally followed that their opinions on this important subject should be freely expressed inasmuch as the passage of judgment upon His Honour's conduct was in question. What was the reason given by the hon. the Premier for putting a stop to this debate? The hon. gentleman held that this discussion was improper and inopportune; and that an expression of opinion on the part of this House would be an infringement upon the people's liberties, because His Honour had formed a Ministry and chosen advisers who had assumed the responsibility of his acts, because His Honour's conduct in the person of his Ministers was now submitted to the decision of the electors of the Province of Quebec, and because to these electors alone belonged the right of deciding the constitutional question which was now before the House. The hon. gentleman pretended that an expression of opinion on the part of the House in this relation would unduly influence the verdict which the people would give under the present circumstances. He (*Mr. Ouimet*) admitted that this was very cunning reasoning, but he did not believe that, as a serious argument, it would hold water. There were now two parties whose conduct was to be judged: the Lieut.-Governor on the one hand, and his Ministers on the other. The Lieut.-Governor, constitutionally speaking, was not responsible towards the people, who, in consequence of this fact, were not called upon to decide upon the conduct of His Honour in his quality of Lieut.-Governor, who, as chief of the Quebec Legislature, could do no wrong. The Lieut.-Governor, in the exercise of his functions, was only responsible to the Government here, by which he had been selected and appointed, and, according to the instructions given

him by this Government, it would be found that this Government ought to judge His Honour's conduct. The people of Quebec had to decide on the other hand upon the fate of the Joly Ministry; and he hoped that this judgment would not be long delayed, and that the condemnation of that Ministry would be overwhelming, and of such a nature that henceforward they would never find a public man capable of assuming such a responsibility as Mr. Joly had undertaken. As to the Lieut.-Governors his case ought to be pleaded before the Governor-General in Council, and if the advisers of His Excellency did not deem it *apropos* to advise His Excellency under the present circumstances, the members of this House were certainly justified in making their voices heard, and in claiming that a decision should be arrived at by this House with regard to the conduct of His Honour. They had a right to complain to His Excellency that the Royal Prerogative had been exercised illegally and unconstitutionally in the Province of Quebec; and also that the Lieut.-Governor had consented to take advantage of his position to exercise an influence in favour of his political friends, which was certainly contrary to the spirit of the Constitution, as interpreted by modern authorities. Distinction was to be drawn between the illegality and the unconstitutionality of the acts of the Lieutenant-Governor. In spite of the opinion expressed by a learned authority, he believed that the act of His Honour was legal, it was in conformity with the written Constitution; but contrary to the spirit of the Constitution as amended by the good sense of the people, as years rolled by, by our public men and by the enlightened patriotism of those who had endowed this country with Responsible Government in 1841. The hon. the First Minister had taken advantage of a subterfuge to evade his own responsibility in this regard, and, above all, to prevent those members of his party who had still at heart the traditions of the founders of their party from judging this question upon its merits and condemning the conduct of Lieutenant-Governor Letellier, and in doing so, taking away from the Liberal

party all the advantages they expected to obtain from this arbitrary act of His Honour, which they had considered necessary in order to secure their interests in the Province of Quebec. Everybody knew that the Liberals, before this *coup d'état*, had little confidence of success in the approaching general elections; but since this *coup d'état* had taken place, they had raised their heads, as they believed that this act, by giving them control of the Government patronage in the Province of Quebec, would enable them to carry a portion of the counties in Lower Canada. The Liberals had never hoped to carry more than half of these counties; but since this *coup*, Liberals had stated before him that they hoped to secure by this subterfuge as much as one-half of these counties, and in doing so to take over to their side some Conservatives, as had already been done, and thus obtain a majority until the federal elections arrived, and then use the influence of the two Governments in the Province to carry the Federal elections, and maintain themselves in power at Ottawa as well as at Quebec. He wished that the good sense of the people would do justice to this extravagant hope, as had been the case in the past, and to the principles subversive of the Constitution, of which these gentlemen had given such striking proofs since the formation of their party. He would now pass in review some of the motives given by His Honour in justification of his having taken the arbitrary proceedings of dismissing his Ministers and replacing them by their political opponents. His Honour alleged that he had a right to give his opinion on the measures introduced by the Government, and to oblige his Ministers to receive his advice in lieu of having his Ministers advise him. Every sensible man must be convinced that this singular idea was contrary to the Constitution and highly injurious in its results. His Honour had determined, when he accepted the position and went to Quebec, to change the way in which the public affairs of the Province were conducted, and to replace the Conservative Administration with Ministers belonging to his party. His Honour had had a long political career, and had discussed political questions

with great warmth, zeal and enthusiasm. His Honour went to Quebec imbued with all his prejudices, which had acquired the force of nature, and which dominated his mind, as the consequence of participation for twenty years in active political struggles, and had resolved that if he could not change the way in which the affairs of Quebec were managed by the aid of Conservatives, he would do so with the aid of his political friends. This had been the determination of His Honour from the moment that he was appointed to this position. This inference, apart from facts known in the Province, most clearly followed from His Honour's memorandum to the Governor General. His Honour had played a hypocritical game, and endeavoured to take his Ministers from behind. He often absented himself from the seat of Government in order not to see what passed, and to be able to say later that he knew nothing of it. He would not dwell on the small matters which His Honour had alleged in justification of the dismissal of his Ministers. There were only two important questions brought up in this regard—the Railway and the Taxation Bills. He believed that the Railway Bill was not more arbitrary than the one by means of which municipal corporations collected their taxes. The principle of the Railway Bill was not a new one. It had been admitted long before His Honour was appointed Lieutenant-Governor of the Province of Quebec. It was embodied in an Act passed in 1875, 39th Vic., and His Honour was not appointed until the month of December, 1876, after this law was sanctioned. This clause provided that these By-laws became obligatory. This was the principle concerning which so much complaint was made. The Bill introduced during the last Session of the Provincial Legislature was merely intended to put in operation this clause of the Act of 1875. Everybody interested in the prosperity of Quebec, and in this great enterprise, would admit that the means which the late Government had taken to secure the payment of these subscriptions in aid of the railway were proper, and not contrary to justice. There was nothing unjust in making a man pay what he ought to pay, never-

theless it was easy to imagine that this provision would excite a feeling of hostility; and in proposing this Bill the late Provincial Government had shown extraordinary courage. Demagogues had taken advantage of this measure to prejudice public opinion against the late Government. But the Crown ought to have been above the temptation of aiding these demagogues, although political friends were seconding their purposes. The action of His Honour had been in the highest degree unworthy of his position, and it would be condemned by the independent and honest electors of the Province. His Honour had descended to the arts of a demagogue, and sullied the dignity of the Crown, of which he was the representative. The Liberal party had always been distinguished by the violence with which it had denounced to the people the taxation which the Government thought proper to impose for the benefit of the public and the encouragement of the country's industries. The Liberals of Lower Canada had always the word "taxes" written in red letters on their programme, as being an *épouvantail* (bugbear) to the people of that Province; and it was considered an excellent opportunity by the Lieutenant-Governor when the DeBoucherville Ministry was obliged to force the different municipalities to pay their subscriptions in to the Provincial Treasury, to take advantage of this cry. The Liberals sought to profit by this occasion to rouse the people against the Conservative party, and to bring into power, and to the control of Provincial affairs, the extremely small minority of which the Liberals were composed in the Quebec Parliament. The introduction of this measure, together with the Stamp Bill, was the only means by which the DeBoucherville Government could repair the deficit and honour their engagements with regard to the Quebec, Montreal, Ottawa and Occidental Railway. This policy was a necessity in order to restore the equilibrium of the Provincial finances, and it was certainly a courageous act to adopt it on the eve of the elections. Certainly the Liberals could not complain, because the late Provincial Government had not fol-



lowed the same line of policy which this Government had adopted. The Ottawa Government had admitted the painful fact that a deficit of three and a half millions for the current year had occurred in the revenue of the Dominion, but, in view of the coming elections, that they would not now recur to the imposition of new taxes in order to cover up this deficit. Hon. gentlemen opposite had said they hope that Providence would come to their assistance, and at all events they thought that if Providence did not favour them at the present time, it would be time to propose new taxation after the elections. But, although he wished the contrary to happen, he was very much afraid that when the Federal elections were over, they would still see deficits increasing from day to day, and year after year, and it would then be found necessary to impose new taxes. The hon. gentlemen opposite were very wise, however, in postponing the question of new taxes until they were sustained at the approaching elections for a new term of five years. He confessed that the DeBoucherville Government had not been so politic; seeing a deficit and wishing to keep the credit of the Province unimpaired, they took bravely and honestly the only way left to them to meet the deficit, resting on the good sense of the people to sustain them in that emergency. They considered themselves pledged to the completion of the Q. M. O. & O. RR., and facing the position as courageous and honest men, they resolved to go ahead, even though they exposed themselves to lose for a time their popularity. The Liberals of Lower Canada were unable of such courage and honesty; they only thought of retaining power and of securing for themselves and their friends good positions. Another object, but unavowed by them, was to secure the annexation of this country to the neighbouring Republic. The present Government, whenever it was possible, favoured the Americans at the expense of the Canadians. This was the case with regard to our manufacturing interests and the award of contracts in connection with our public enterprises. He believed that the desire of this Government was simply

to bring about annexation, and to oblige us in order to subsist and share in the advantages which this Government refused us, to place ourselves under the protection of the American flag. He would not dwell upon the pettiness of the reasons given by the Lieut.-Governor in justification of the arbitrary act of which his Honour had been guilty in dismissing his Ministers; but he would simply say a word as to the consequences which would result to this country if such conduct was approved. If His Honour was able to dismiss his Ministers once, what could prevent him repeating the same another time, until the people, tired with the elections, showed themselves disposed to support the Joly Ministry. Of course His Honour would be more prudent on the next occasion, and he would not again send his letter of dismissal, until the supplies were voted. By this means, the Government of the Province could be carried on for twelve months. What could prevent His Honour from dismissing again his next Ministry, if the majority of the next House was opposed to Mr. Joly, who would then be obliged to resign. If Mr. Letellier had the right to do it on this occasion, he certainly had the right to do it a second time; and, if so, what purpose did a Legislature composed of the representatives of the people serve? They would then return to the period which was so painful to their countrymen, before 1841, when the principle of Responsible Government was secured by them. If the arbitrary conduct of "Luc the First" was permitted, this country would return to the days of despotic influence and irresponsible Government. His Honour alleged that he believed that the railway and the Civil Service were costing too much. He (Mr. Ouimet) had believed that taxes were offered to, and accepted by the Crown, as imposed for the maintenance of its dignity and the proper carrying on of the affairs of the country. This was the doctrine laid down by many authors. If His Honour was the guardian of the *deniers* of the Province, why was it that, dissatisfied with his Ministers, he had increased the burden of taxation which was laid upon that Province. In

dismissing his Ministers he had rendered necessary a dissolution and general election, which would cost the Province from \$45,000 to \$50,000; in the second place, this act had also rendered a new Session necessary, which would cost, at least, \$90,000 or \$100,000; and, in the next place, owing to the action of His Honour, the construction of the Quebec, Montreal, Ottawa and Occidental Railway could probably not be finished before the end of this year or the beginning of next year, so that the Province would, in the meantime, be deprived of the revenue which this road could return and thus pay the interest on the sums borrowed for its construction, and everyone knew that tenders for the leasing of this road, at the figure of about \$300,000, had been sent in; in consequence of these facts, the conduct of His Honour, who was so much troubled by the contemplated increase of taxation, would cost the Province the extra sum, in all, of about \$450,000, or nearly half a million, which would have to be raised by taxation. Instead of lightening, His Honour would increase the public burdens, and the people of the Province would be greatly astonished to learn that all this was done in order that the electors might anew express their opinion regarding the railway policy of the late Government, which was submitted to them and approved of at the general elections in 1875. It was a new sort of testimony of respect for the opinion of the people, for His Honour to dismiss his Ministers and call in a new Administration, formed from a party which did not possess the confidence of one-third of the electors of the Province. It was for this that His Honour had expelled the people from his confidence, in the person of its representatives, and said to the people, in a hypocritical and deceitful (*mensongère*) manner: "It is for love of you, and in behalf of good government, which has been absent for a long time, that I have done this." Though all this had been done for His Honour's political partizans and friends. His Honour had succeeded, stupidly, it was true, but, nevertheless, he had succeeded in placing the Joly Administration in control of the affairs of the

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Province, and the Conservatives were thus obliged to demand again the confidence of the electors, which the electors had already granted them in the most complete possible manner. His Honour had certainly misled the people, for, instead of aiding economy, his *coup d'état* would necessitate increased expenditure on the part of the Province, and an addition to their burdens in the shape of taxation. The statements of His Honour were certainly deceitful.

MR. HOLTON: I understood the hon. gentleman to say that the Lieutenant-Governor had adopted a hypocritical and lying course in the interest of his friends in the Federal Government, and in connivance, and in conspiracy with them. I understood this to be the substance of his statement, and I would ask the hon. gentleman to repeat the same in English.

MR. OUMET, in English, said he had not precisely stated that the present Ministry here was a party to the kind of conspiracy which had brought about the perpetration of what he considered to be a constitutional outrage on the people of the Province of Quebec. The first paragraph of His Honour's memorandum to the Governor-General set forth that, from the very moment that His Honour had left his colleagues and this Government to go to Quebec, he became convinced, on looking into the affairs of the Province, that everything was wrong, and that he had to put everything right, and that this was his duty to His Excellency and the Crown, of which he was the representative. His Honour also represented that he had advised his Ministers in this direction a great many times, but that they would never listen to his counsel. This he (Mr. Ouimet) held was sufficient to, make them believe, or, at least, infer that when Mr. Letellier went to Quebec, he went there as a partizan of this Government, with all the prejudices which he had accumulated during a long career of active political life. Whether His Honour had acted in good faith or not, his idea was that everything was to be changed, and it appeared that the only parties who were to benefit from

this state of opinion, and of these acts, were members of the Liberal party in the Province of Quebec, and in this House. This might be insulting, and and he supposed that the hon. member for Chateauguay wished to convey that impression.

MR. HOLTON: It is open to construction, but it appeared to me that your statement in French, involved the very grave charge against the Government here, of having conspired with the Lieutenant-Governor of the Province of Quebec. I understood that the charge was made first against the Lieutenant-Governor for having acted entirely in the interest of his political party and friends, and then against the members of this Government of having conspired with His Honour in order to bring about this crisis in Quebec.

MR. OUMET said he had repeated in English the substance of what he had stated in French.

MR. MACKENZIE: I have simply to say that if the hon. gentleman did make the charge which my hon. friend from Chateauguay says he did, it was only a part of what is called bearing false witness against one's neighbours.

MR. OUMET said he begged to state distinctly that he had said nothing in French other than what he had stated in English; and he thought he had made his statements in Parliamentary form. What the hon. the Premier had stated, might justify one in thinking that Parliamentary phrases meant little. One could not, in accordance with the rules of the House, call a man a liar; but one could say that a member was bearing false witness against his neighbour. He did not thoroughly understand all the secrets of the English language; but, as he had so many occasions for making the same statement to the hon. gentleman, he was greatly obliged to him (Mr. Mackenzie) for having suggested to him this mode of conveying that idea. They had heard so many statements from the hon. gentleman, and so many emphatic denials, and so many affirmations, which had been subsequently proven to have been rash assertions, and to be—well, bearing

false witness, for he supposed that this was now the proper expression, that it was fortunate to have this mode of characterizing them. He had never before thought he could tell a man to his face that he was a liar; and this had been done to him, who, though not Prime Minister of the Crown, considered his honour as important, and pure, and unable to be attacked as that of any member of the House. And he hoped that he would never be Prime Minister of the Dominion, if he was to have the reputation for rectitude and truthfulness which the hon. gentleman (Mr. Mackenzie) had acquired since he had occupied his present high position. It was very well to insult a young member, and his influence in the House might not be very great; but, after all, a man could live an honourable life without being either a member of this House or a member of this Government. He would say more: that some of the hon. gentlemen now sitting on the Treasury benches would stand higher in public estimation if they had never attained their present positions, because the people had learned to know the standard of morality and honour according to which these hon. gentlemen lived. He sincerely wished that, if he were to have the same destiny as these hon. gentlemen, he would never again be returned to this Parliament. He had spoken in as Parliamentary a phrase as possible while expressing his opinions on the great Constitutional question which was before the House. He never meant to insult anyone, and did not expect to be insulted by anyone. His first proposition was that this Parliament had a right to discuss the conduct of the Lieutenant-Governor in the exercise of his prerogative, in the position to which he had been appointed by the present Government; and if His Honour exercised his prerogative in a sense contrary to the spirit of our Constitution, and contrary to the form and spirit of the instructions which he received from the Governor-General in Council, he held that this Parliament had a right to discuss His Honour's conduct, and to express an opinion, whether in the form of censure or in approbation of it. They had before the House the different docu-

ments which contained the whole question to be considered, viz.: the memorandum of His Honour the Lieutenant-Governor, and the memorandum of the late First Minister of the Province, Hon. Mr. DeBoucherville, who was dismissed. He maintained that the Government here, acted hypocritically in endeavouring to cover up its responsibility, and in doing so in the eyes of its partizans who wished to act in good faith, and of those who in Upper Canada were the political friends of the hon. the first Minister, but who were nevertheless prouder to say that they were the political descendants and heirs of Mr. Baldwin, and of the old leaders of the Reform Party in Upper Canada. The hon. gentleman (Mr. Mackenzie), acted hypocritically in seeking to cover up his responsibility, under these circumstances, and in declaring that it was not opportune to discuss in this House the conduct of his Honour the Lieutenant-Governor, because at the present time, the Joly Ministry were appealing to the country. He held that the Lieutenant-Governor and the Joly Ministry were two separate parties. They had nothing to do with the Joly Ministry, whom the electors had to judge; but the Lieutenant-Governor was not responsible to the people, but only to the authorities who appointed him to his position, in the same manner that the Governor-General in the exercise of his prerogative, was not responsible to the people of Canada, but simply to the Imperial Government which appointed him; and which gave him the instructions that His Excellency was obliged to follow. He maintained in the third place that in the exercise of his royal prerogative, Lieutenant-Governor Letellier had conducted himself in an arbitrary and partizan manner, and further that the reasons which His Honour had given in his memorandum in justification for his action, were utterly futile and could not be entertained by any enlightened man, who was zealous of the privileges and liberties which he enjoyed by virtue of the Constitution with which this country was endowed. These reasons were unworthy of consideration on the part of any man who believed that the people and not the Lieutenant-Governor nor

the Crown governed. They had, it was true, a Lieutenant-Governor at Quebec, the same as there was a Governor-General here, and Her Majesty the Queen in England, as the head of the Executive, but with regard to all questions of legislation, and all matters that touched the interests of the people, these personages had nothing to do, they had nothing to say with respect to the manner in which the people deemed it proper to govern themselves, or to impose, or not to impose, taxes; and in consequence of these facts, he held that Lieutenant-Governor Letellier had no right to intervene with respect to the policy of the DeBoucherville Government which was supported by the great majority of the people of Lower Canada. The conduct of His Honour could only have been prompted by partizan zeal, for he could not believe that His Honour had acted simply in obedience to inclinations and a spirit of demoralisation that previously existed in him. He considered that the greatest insult which could be offered to His Honour, would be to say, that in the exercise of his prerogative in this fashion, he (Mr. Letellier) had simply followed the instincts and promptings of his nature. He believed, on the contrary, that he had left Ottawa inspired by bitter political prejudices, the accumulation of warm political struggles and a long political career, and with the consciousness that the Liberal Party would be exterminated politically at the approaching general elections of the Dominion; and with the intention that if ever opportunity offered for changing the state of things—as His Honour mentioned in his memorandum—which then existed in the Province of Quebec—and bringing his party into power—and he supposed this could also be naturally inferred—and aiding them in carrying the Federal Elections, he would render that immense service, not to the country, for it was proved that this act on the contrary would only impose a burden of one-half million more of debt on the Province, but to his party. His Honour desired to bring about the state of things which now existed at Ottawa, and which, according to His Honour, ought also to exist in Quebec. This House would

assume a great responsibility towards posterity if it approved of this arbitrary act of His Honour. If Lieutenant-Governor Letellier could to-day dismiss his Ministers without incurring censure or running any risk, he could not see why, after the next turn of the political tide, a Conservative Lieutenant-Governor could not be sent to Quebec; and in case the Joly Ministry then chanced to be in power, turn them out. What could the Liberals say to this, if they now approved of His Honour's conduct. The hon. gentlemen opposite said that the members of the Opposition were Tories, and reminded them of the arbitrary acts of which the Tories were ready to approve in the time of George III. They were Tories, but not the Tories of a hundred years ago. They were simply Liberal-Conservatives; that was to say, they inherited the traditions of Sir L. Hypolite Lafontaine; but since 1873, instead of doing like Papineau, dreaming of Utopias impregnated with the Republican ideas of France and the United States, and of annexation to the American Republic, they had followed a different course. Hypolite Lafontaine said that since, with the blood of their countrymen, they had conquered all the grandeur and the privileges of the British Constitution, there was nothing else to do but to endeavour to work at this Constitution and make it bear fruit for the prosperity of their country in general, and of the nationality in particular. Hence Hypolite Lafontaine, and Mr. Morin, and Sir George Cartier had deemed it proper to follow constitutional traditions—traditions which they had preserved in the Liberal-Conservative Party. There was much more liberality and breadth of view in the Liberal-Conservative than in the Liberal Party; for, after all, the Liberals of Lower Canada were the same as the Liberals of all other countries. What was a Liberal? A Liberal was one who wished to have liberty at the expense of the liberty of everyone else; and this was the Liberalism of hon. gentlemen opposite, who trampled under foot the rights of others, in order to boast that they themselves were free: that was to say, free to do evil, and this was Liberalism everywhere, in religion as well as

in politics. These hon. gentlemen wanted liberty to do evil as well as good; the liberty to abuse the rights of others, and to accomplish the interests of the moment, no matter by what means. This was the Liberalism of these hon. gentlemen. The Liberals said that the Tories of Lower Canada were hypocrites, who made use of religion for mere political purposes. It was true that the Conservative party had the glory of possessing the assistance of the clergy since the time of Hypolite Lafontaine, and even previously; but those who said that the Conservatives were the servants of the Catholic clergy lied. The Catholic clergy were the allies of the Conservatives, but why? Because in Conservative principles they had the stability of Catholic principles; because, in these principles, they had liberty and liberality, a liberality which was shown to each and to all; because they had respect for the traditions of their ancestors, and never denied them from day to day, according to the demands of the moment, as did a certain member of the Government, who was now in the House, and who had the evening previous confessed that when he committed his follies he was a mere boy, although he (Mr. Ouimet) believed that the people who had known the hon. the Minister of Justice for a long time still considered him a mere boy. The hon. gentleman had, some years ago, a great reputation, and no one regretted more than himself (Mr. Ouimet) that this reputation, of which he was so proud as a French Canadian, and as a member of the Bar of Montreal, had disappeared. He was to-day really confused and humiliated to see that this man as he had aged, had lost so much of that nerve which had distinguished him in his youth. To-day the hon. gentleman was not a Tory, but a *taré*, no one should regret the *écartades* of his youth, especially when they were prompted by noble sentiments. He could never have believed that the hon. the Minister of Justice would care to say that, when he did what he had done, he did not know what he did.

MR. LAFLAMME: I never said, and I never pretended that I was ashamed

of what I had done at that time. I simply said that I was then young. If one is not a Republican at the age of 20 years, he is condemned to be a fossil at the age of 45.

**MR. OUMET:** It is in this manner that the hon. gentleman has finished. I would rather have remained a Republican as at 20, than to have become a fossil at 45; and, above all, to have said what the hon. gentleman had stated in this House.

**MR. LAFLAMME:** These are mere personalities.

**MR. OUMET** said that they were political personalities. He believed that he had sufficiently demonstrated that this question was one of great importance to the House; and that if a verdict of approval of the conduct of Lieutenant-Governor Letellier was rendered by the majority of the House, it would be disastrous in the future as respected our free institutions. Such a verdict ought to be deeply regretted by the majority of the citizens in all parts of the Dominion. He hoped that this precedent would not be elsewhere followed in this country. He had heard it frequently stated by a great number of the members from Ontario, that such an act in the Province of Ontario would be followed by rebellion and *émeutes*, and that a Government which would take the reins of power, under the circumstances in which the Joly Administration had acceded to power, would be driven ignominiously from office by the people, and replaced by those in whom the people had confidence. He could not terminate his remarks without protesting against the statement of the Minister of Inland Revenue, that the Conservatives were people who did not understand what Responsible Government was. He believed that the debate which had been carried on by members of the Opposition, would amply prove to the satisfaction of the House, that the Conservatives did know what constituted Responsible Government. If, in the past, and 100 years ago, those who bore this name were extravagant (*outrés*) admirers of the privileges of the Crown, those who had succeeded them had made rapid progress, and were committed to the support of the

proper working of the principles of the English Constitution, and especially of the principles of Responsible Government; and, above all, by their warm attachment to these principles they had secured the deep esteem and admiration of all true lovers of their principles and their nationality.

**MR. COSTIGAN** said he fully understood the very great importance of the question which had so long engaged the attention of the House. No greater proof of this could be required before the country than the fact that the able, the eloquent, and the forcible speech of the right hon. member for Kingston had, as yet, remained unanswered before the House; and no greater proof as to the force of the case now presented to the House and country could be had, than the fact that no hon. gentleman among the able gentlemen who held seats on the Treasury benches and the eloquent gentlemen who supported these Ministers, was found who would even consider the question from a constitutional point of view, or attempt to meet the arguments of the right hon. member for Kingston. He dwelt on the dismissal of his Ministry by Governor Gordon of New Brunswick. The present Minister of Marine and Fisheries was leader of that Government; he had for his colleague the hon. member for Charlotte, and himself (Mr. Costigan) was a member of the House supporting the Government. Against the action of the Governor twenty-two members of the House led by the leader of the Government sent an address to Her Majesty complaining in the strongest way of the Governor's conduct. Surely men who could so act in a matter affecting their own Province could not take a different course when a similar outrage had been committed in Quebec. The reason hon. gentlemen opposite had not come forward to defend Mr. Letellier was because they knew they had a hard case. There was this similarity between the cases of Quebec and New Brunswick—that while the Governor in both cases refused to be advised by those who were the legal and constitutional advisers, they were accused, he would not say with how much truth,

**MR. LAFLAMME.**

of having taken counsel other than those entitled to give them counsel. Besides, the hon. Mr. Smith at that time complained of difficulty in the transmission of documents, and that the answers he gave at one time bore a very different interpretation in the papers next day. He (Mr. Costigan) regretted to say that a fair expression of opinion had not been given in the New Brunswick case, and he challenged any one to say that if the people of New Brunswick had been appealed to three-fourths of them would not have given the high-handed conduct of the Lieutenant-Governor their entire condemnation. The reason it was not so condemned was that other influence was brought to bear, and the question tried was not one of constitutionality, but of Confederation, and many were prevented from giving their moral support to the cause of justice during the struggle because of strong political reasons. In the same way, be believed, that some hon. gentlemen would be prevented from voting for the amendment, though it was very mildly and judiciously drawn up. It had been kept free of every political character in order that the House might pronounce an impartial judgment on the course taken by His Honour the Lieutenant-Governor of the Province of Quebec. He hoped he might not be considered offensive if he said that political feelings might enter into the minds of hon. gentlemen on the other side in giving their opinions. He thought that after all it was a benefit to the country that the hon. the Premier had resisted the desire of the minority for an adjournment, because if that request had been complied with only one side of the question would have appeared on the records, and that would have been in favour of the amendment. He thought no more serious a question could have been discussed by the House than that now under consideration, and no graver opposition could have been offered to any question than that with which this amendment was met. If the House approved of the action taken by the Lieutenant-Governor of the Province of Quebec, it would be impossible for the people of

any Province of the Dominion to maintain free, independent Responsible Government. It must be quite evident to any man possessed of common sense that if the House endorsed the principle laid down by Lieut.-Governor Letellier, they would be endorsing a most dangerous one. The whole case amounted to this, that Mr. Letellier, finding a Conservative Government in Quebec, and finding, also, that he could not, as a Liberal, concur in their administration of affairs, dismissed them. Now, in order to show the unfairness of such a proceeding, he would suppose a case—a very unlikely one, no doubt. Let them suppose—what was certainly very unlikely—that the Liberal leader of Quebec should be returned with a very great majority, and that Mr. Joly had succeeded in forming a Government there. Then suppose, also, that under a new state of things a Conservative Government was formed in Ottawa, and that the Lieut.-Governor of Quebec was also a Conservative, the latter might, after the same fashion, go down to the Province of Quebec, and, saying that he did not approve of the legislation of its Liberal Government there, might dismiss them. Would hon. gentlemen opposite approve of such a proceeding? He opined they would not. If this kind of proceeding was allowed to go on, a Liberal or Conservative Central Government might control the whole of the Local Legislatures as they pleased, through the Lieut.-Governors, exercising those powers which they undoubtedly possessed. With regard to the character of the hon. gentleman who had given rise to this long and important discussion, he would not attempt to say one word which might be considered offensive, as he did not think he could there by strengthen his argument. The hon. member for Montreal Centre, being a lawyer, was well able to handle a bad case, but he (Mr. Costigan) was surprised that the late Minister of Justice, the hon. member for South Bruce, should not say anything regarding the matter under consideration. This was to be regretted, because it was generally the case that the hon. member for Montreal Centre imagined he found new light, and, in the present

instance, he had failed to do so. He hoped these few remarks would be taken in good part by the hon. member for Montreal Centre, whose speech, he might remark, was not intended to wound the feelings of any one. He had expected that, after the able manner in which the discussion had been opened by the hon. member for Kingston, points of constitutional law would be taken up by members on both sides of the House, and elucidated. As far as hon. members on the Opposition side were concerned, his anticipations had been fully realized, but he regretted to say that the heads of the Government party had remained silent.

Mr. SMITH (Westmoreland) said he did not intend offering any observations on the question now before the House, and should not have done so, but that the hon. gentleman who had just sat down, who had addressed himself to the subject with great ability, had made special reference to himself, in regard to transactions which took place in his (Mr. Smith's) Province, to show that the action he was now about to take would place him in a false and inconsistent position. He thought that he should satisfy the House that it would place him in no such position, for the action he took in New Brunswick he was ready to defend now. He thought this, and the other case, quoted by the hon. member, were precedents that rather justified Mr. Letellier than otherwise. The first case took place in New Brunswick in 1856, when the Lieut.-Governor, Mr. Manners-Sutton, dismissed his Ministry. Mr. Todd had referred to this case, and, as that author described it, better, perhaps, than he (Mr. Smith) could do, it would be as well for him to read it.

"In 1855 a Prohibitory Liquor Law was passed by the New Brunswick Legislature. But the Act proved to be wholly inoperative, and incapable of enforcement. Whereupon the Lieut.-Governor, J. H. Manners-Sutton, without expressing any opinion upon the principle of Prohibitory Legislation, sent a memorandum to his Ministers in which he expressed his conviction that a continuance of the existing condition of affairs was fraught with peril to the best interests of the community, and called for immediate remedy. He, therefore, suggested a dissolution of Parliament with a view to a decided expression of public opinion in favour

MR. COSTIGAN.

of, or in opposition to, the Prohibitory principle. Ministers dissented altogether from His Excellency's conclusions, and would not advise a dissolution. Further correspondence ensued without a change of opinion on either side. Finally, the Lieut.-Governor stated that as he "never contemplated a dissolution of the Assembly without the concurrence of responsible advisers" he claimed that either the Executive Council should assume the responsibility for the issue of a proclamation of dissolution or that they should retire, and enable him to seek for other advisers who would consent to this Act. As Ministers still demurred to either course, His Excellency directed the Provincial Secretary to prepare and countersign a proclamation dissolving the Assembly. His request was complied with, but, immediately afterwards, the Ministry resigned. The Governor requested them to retain office until their successors were appointed. In nine days he notified them that he had succeeded in forming a new Administration, who, agreeing with him in the necessity for an immediate dissolution of Parliament, were prepared to resume responsibility for the same."

Now, in this case, as they were aware, the Government had a very large majority, and the Liquor Bill was introduced by Mr. Tilley, who was a member of the Government as well as himself, and it properly passed. The Lieut.-Governor asked them to take the responsibility of dissolution, but they refused; in a few days, however, they thought it best to do so, and dissolution took place. The people were appealed to, and they sustained both the Lieut.-Governor and the Government, and when Parliament again met, resolutions, approving of the course taken by the Lieut.-Governor, were passed, so, as far as the people were concerned, they approved of the constitutionality of the principle. The Imperial Government was appealed to that time, but they did not remove Mr. M. Sutton, nor even censure him. He argued, therefore, that this precedent was in favour of the course pursued by Mr. Letellier. Then, with regard to the other case, they found it entirely dissimilar to the one under discussion. In that case, a dissolution took place, and the country was appealed to on the question of Confederation, and a decisive opinion was given upon it, notwithstanding which, the Lieut.-Governor (Mr. Gordon) dissolved Parliament. They complained that, inasmuch as the people had decided upon that question, he had no right to dissolve again. They petitioned the Queen with regard to it, charging the Lieut.-



Governor with moral turpitude and misconduct, and with having consulted, behind their backs, with their political opponents. The people afterwards sustained the Government and approved of his conduct; so this, too, was surely a precedent in favour of Mr. Letellier. Her Majesty did not displace the Lieut.-Governor, although he had done a worse act than Mr. Letellier. The ground he (Mr. Smith) had taken was this: he did not consider they were called upon to express an opinion as to the constitutionality of the act of Mr. Letellier. He had appealed to the people at the polls; and if they approved of his conduct, should not that influence this House in the course to be adopted? Surely Mr. Joly had assumed the responsibility of that act, he became a *particeps criminis*; he was on his trial now before the people of Quebec, and was it right that this Parliament should take any action that could prejudice him before the people. They found there was a dispute as to the facts of the case, and surely they ought not, under these circumstances, to prejudice the case. If Mr. Joly had done wrong, the people had power to punish him by dismissal from office; they had no power to dismiss the Lieutenant-Governor, but if they condemned him, it would then be time for this Parliament to act. He believed he had shown that the course he was taking was not inconsistent with his past action, and that it would be approved by his constituents.

MR. ROULEAU criticised Mr. Letellier's objections to Mr. DeBoucherville's conduct and administration, commenting on Mr. DeBoucherville's replies.

MR. HAGGART contended that the Lieutenant-Governor had struck an almost vital blow against the liberties of the people of Quebec, and he was surprised that anyone should attempt to justify it in this House.

MR. POPE said he was a little surprised at the moderation of his right hon. friend in drawing up this motion, as was the hon. the First Minister. He considered this question as one of extremely grave importance, and that a stronger resolution would have been warranted. Their forefathers had

fought and struggled for these rights, which now were in danger. And was it to be said that, in the Province of Quebec, these great principles which they had inherited from their forefathers, were to be forgotten and given up, though these rights had been handed down to them unimpaired. At the first moment that this wicked, unconstitutional, unwise and unjust act had come to the knowledge of the hon. the First Minister, he could have remedied the evil, and placed things in the position in which they would have been had there been an honest, Constitutional Government in the Province of Quebec. But the hon. gentleman had not interfered, though he dared not defend the conduct of the Lieutenant-Governor. The hon. gentleman had known of this matter a month ago; and he should have restored the late Ministers to the places from which they had been driven by an unjust, an unconstitutional, and a tyrannical act. He felt certain that a majority of the House would vote against the motion, and as positive that a majority of the people would support it. The people would not consider lightly the responsibility assumed by those who opposed this motion. If this sort of thing continued, it would lead to trouble and rebellion. The majority could not be bound down by a tyrant or a power not exercised freely before the law. If the majority of the people's representatives were to be turned in this manner, where was the thing to stop? It was idle to talk about a remedy obtained by an appeal to the people. The railway policy of the late Government of the Province of Quebec had been pronounced on at the polls, and the other questions brought up were hardly worthy of consideration—they were almost ridiculous. He was afraid that the question of taxes would be dwelt on too much, and that the constitutional question would be almost lost sight of. The Liberals had tried to charge the issue that Mr. DeBoucherville was no favourite of his; but he felt that a great injustice had been done to that Minister. He felt very strongly about the way in which Mr. DeBoucherville had been treated. He had always felt it was unfortunate

that the Government had built the road from Montreal to Ottawa; that they ought to have given some round subsidy to a company to do it; but that had nothing to do with the case here, whether it was wise or unwise. It had been said that every single farthing raised in the country should have gone on that road, and that the other road should not have got a dollar. He (Mr. Pope) disagreed with this contention, because the faith of the country had been just as much pledged to the other roads as to that one; not, perhaps, to so large an extent, but in a proportionate sum. Under all these circumstances, looking at the position in which the House of Assembly at Quebec stood, with a majority of twenty, he would ask the hon. member for Westmoreland if he could conscientiously say that the Lieutenant-Governor acted wisely? His hon. friend had to say one thing or the other. His hon. friend had objected to the course taken by the Government of New Brunswick in connection with the Prohibitory Liquor Law. The case was not nearly as bad as the Quebec one. Had the Lieutenant-Governor of Quebec said to his advisers: You must appeal to the country? That was the position which had been taken by the Governor of New Brunswick. Without expressing any opinion on the principle of prohibitory legislation, the Governor of New Brunswick sent a memorandum to his Ministers expressing his conviction that the continuance of the present state of affairs was fraught with danger to the best interests of the community and called for immediate remedy. He, therefore, suggested a dissolution of Parliament. The Ministers dissented altogether from His Excellency's conclusion and would not advise a dissolution. Was there any comparison between them and the Quebec Ministers?

MR. BOWELL argued that Mr. Letellier had exercised undue pressure in the dismissal of his Ministry.

MR. MACKENZIE: If the hon. gentleman will stop now, I will admit that he has convinced me.

MR. BOWELL: Then, resign.

MR. POPE.

MR. MACKENZIE said the hon. member for Kingston had agreed upon certain conditions upon which an adjournment could be had. The conditions were that the House should adjourn now, and that a vote should be taken without debate on Monday evening, after the trains came in, and that until that hour the House should proceed with other business.

SIR JOHN MACDONALD said he had agreed to those terms, and hoped to have a vote at about ten o'clock on Monday night.

MR. MACKENZIE: Then the understanding is that the debate be adjourned.

Debate *adjourned*.

#### THE IMPERIAL CATTLE BILL.

MR. MACKENZIE, in moving the adjournment of the House, said perhaps it might be gratifying to members generally, to know that by a telegram received to-day, from our agent in London, the Government ascertains that the Imperial Government has agreed to a modification of the Cattle Bill in the interests of Canada.

House adjourned at  
Five minutes past  
Six o'clock, p.m., 13th inst.

#### HOUSE OF COMMONS.

*Monday, 15th April, 1878.*

The Speaker took the Chair at Three o'clock.

#### PRAYERS.

#### PERSONAL EXPLANATION.

MR. MITCHELL said that he had left on Friday last for Montreal, having paired with the hon. member for Lisgar, and he now found that with regard to the motion respecting the Quebec crisis, an arrangement had been entered into to take the vote this evening at ten o'clock, without debate. He did not consider himself bound by any arrangement made by any one for him in this House, and on a subject so important as this. He felt that the circumstances imperatively required him to express his views. His name

had been mixed up in the matter, and an incident connected with the political history of his Province had been referred to as an authority and precedent. The name of a gentleman, who was then Governor of New Brunswick, had been mentioned, and as the great political question involved to his mind the future of this country, he felt that he ought to submit his observations on it to the House. He did not desire to protract the discussion, and he would suggest to the hon. the Premier that the order should be called at eight o'clock, after recess, in order that he might express his views and convictions on this important matter. He did not wish to be bound by any arrangement, but at the same time he did not desire to break through such arrangement.

MR. MACKENZIE said it was unfortunate that the hon. gentleman should have such an intention. The agreement arrived at, with the leader of the Opposition and by the unanimous assent of the House, was one that ought not to be broken, especially when there was no cause for it, except the hon. gentleman's own absence. The hon. gentleman would have had abundant opportunity for expressing his views on Saturday. He thought that no one should seek to infringe upon this arrangement; but, of course, there was no authority in the House to compel such an arrangement to be adhered to. Under these circumstances the hon. gentleman must take his own course. He could only regret that, under the circumstances, the hon. gentleman should feel it necessary to say anything on the subject.

MR. MITCHELL said he believed that his name had been exempted from this arrangement. He was so informed by the hon. member for North Hastings, who had known that he was anxious to speak on this subject.

MR. MACKENZIE said that the leader of the Opposition had stated that he could not absolutely speak for every person, but that he would feel very much disappointed if any one would feel at liberty to break through this common agreement.

MR. BOWELL said he thought the Premier would recollect that he had

used these words:—"I think we can speak positively for all the members of the Opposition then present, but if the irrepressible Peter comes, we cannot guarantee that he will not speak," and the hon. gentleman's answer had been: "Of course, you cannot guarantee him."

MR. MACKENZIE: I quite recollect that; but I had not such a bad opinion of the hon. gentleman as to imagine that he would speak.

MR. BOWELL said he had not said so because he had a bad opinion of the hon. gentleman, whom he knew was very desirous of speaking, and intended to speak with reference to the difficulties that had arisen in his own Province.

MR. MITCHELL said that in justice to the right hon. member for Kingston he felt bound to say that he had a few minutes since mentioned his intention to the right hon. gentleman, who had said he thought he (Mr. Mitchell) ought not to do it. He had told the right hon. gentleman, however, that no person had a right to speak for him in the House; and he felt it was due to himself, to others, and the country, that he should express his opinion on this question.

SIR JOHN A. MACDONALD said that this arrangement was made across the floor in good faith; and he considered, of course, that it was obligatory on every hon. gentleman on both sides of the House. He would be disappointed if it was not adhered to, because the debate had not only been exhaustive, but it had also exhausted the members. He had pointed out to the hon. member for Northumberland that if this arrangement had not taken place at 5:30 Saturday afternoon, it was very likely that a division would have taken place before twelve on Saturday night. He thought that the hon. gentleman might easily find another opportunity for making his explanations.

MR. MITCHELL said he had a right to speak, and, if afforded a fair opportunity, he would endeavour to make his remarks as brief as possible.

MR. DEVLIN: It re-opens the whole question.

MR. MITCHELL: Let it be re-opened.

PROPOSED ACQUISITION OF THE  
GRAND TRUNK, RIVIÈRE DU  
LOUP BRANCH.

GOVERNMENT NOTICE OF MOTION.

Mr. MACKENZIE moved:

That the Government be authorized to enter into an arrangement during the recess with the Grand Trunk Railway Company for acquiring control of the Rivière du Loup branch of the said Company's line, by lease, purchase or otherwise, in order to obtain complete control of the Intercolonial Railway to the City of Quebec. Any such arrangement to be subject to the ratification by Parliament at the next Session.

He said that it was unnecessary to say anything in explanation of this motion, as hon. members generally understood that difficulty was at present experienced by having the Intercolonial Railway terminate at Rivière du Loup, where there was no harbour and no means of transferring traffic, save by means of the Grand Trunk branch, which, through the impecuniosity of the company owning it, had got into such a state that if this winter had not been severe, they would have had exceedingly great difficulty, indeed, in carrying the traffic over it. He did not know how this was to be done during another winter. Many things were to be considered in relation to this matter, which he did not think were fit subjects for discussion; but, as the Government asked for no power but simply for authorization to enter into negotiations, he scarcely imagined that any hon. member would consider it necessary to discuss this matter, or the difficulties connected with it, or the different modes by which this subject might now be accomplished. It was manifestly highly inexpedient, it not highly improper, for him to enter into any such discussion at the present moment; and he hoped that in this the House would generally agree with him.

SIR JOHN A. MACDONALD: The question at once arises whether this resolution ought not to be proposed in Committee.

Mr. MACKENZIE said that this was precisely the same authority which the late Government had taken with reference to the Windsor Branch Government Railway; and by this Govern-

Mr. MITCHELL.

ment, with regard to the Truro branch. Authority was given in both instances to alienate this part of the public property or domain, and afterwards the agreement arrived at with the respective companies was submitted to the House and a Bill based on it introduced. The Government would get no power under this resolution to alienate any public money, or land, or domain in any shape, and before this could be done, resolutions must be brought in at the next Session. He did not think it necessary to introduce this motion in Committee of the Whole.

Mr. SPEAKER: This asks particularly for no more than authority to enter into negotiations.

SIR JOHN A. MACDONALD said that the Government could do what the motion proposed without passing it, and any arrangement made could afterwards be submitted to Parliament. This was connected with a very important matter, and, if pressed, the motion should be considered in Committee.

Mr. HOLTON said that if the resolution meant anything at all, it meant an affirmation by the House of the desirability of entering into these negotiations with the Company in order to reach certain results, which would involve the disposal of public money and public property; therefore, even at this initial stage, the proposition ought to be considered in Committee. Sound practice required this to be done. For his own part he was not disposed at this point of time, without fuller explanations than they had hitherto received, to affirm the desirability of any possible arrangement whatever being made in respect to the acquisition of the Rivière du Loup Branch of the Grand Trunk Railway Company. A good case might be made out, but it had not as yet been made out. The resolution affirmed that it was desirable to get possession of this road by lease or purchase; and it would authorize the Government, without full explanations, to enter into such negotiation during recess, and any arrangement made was to be submitted at the next Session. It would then be placed before mem-

bers who were not exactly free agents. Owing to the pressure that a Government could bring to bear in order to secure the adoption and confirmation of their acts, it became then, whatever the Government might do during recess, a question of confidence in the Government, and he did not think that this was a position in which the House ought to be placed with respect to a matter in the inchoate position in which this proposition now was. He did not know what arguments might be produced in favour of getting possession of this road; but for his own part, though he was open to conviction, yet, as at present advised, he did not think it necessary, or essential, or that it would be useful to the Dominion, to procure control of this road on any probable terms. This was his conviction, and therefore he held that if the matter was to be submitted to them at all, full explanation of the reasons why such negotiations should be entered into should be made to the House.

Mr. BLANCHET said that the resolution proposed the acquisition of control of the Rivière du Loup branch by lease or purchase; and the hon. member for Chateauguay knew very well that traffic was not carried over this portion of the line as expeditiously at the present moment as was desirable, owing to the bad state in which it was. The step proposed was only initiative, and he did not suppose that it pledged the expenditure of any sum of money. Everything would depend on the conditions to be submitted to the next Parliament. As far as the submission of resolutions in the Committee was concerned, he thought that it was the safest mode even though no expenditure was demanded. Moreover it was known that the Government could not acquire control of this branch without expenditure.

Mr. BOWELL said that his hon. friend from Bellechasse had not caught the objection of the hon. member for Chateauguay. He thought that this resolution clearly affirmed that it was desirable to acquire this section of the Grand Trunk Railway by either lease or purchase; and if it was passed without any information in reference to the necessity of obtaining this road being

given, the House was committed to that declaration; and it seemed to him that they ought not to be asked to affirm this principle without full discussion and investigation into the matter. Various points had suggested themselves to members of this House as reasons why this should be done. There were many arguments, he knew, in favour of acquiring that section of road, but he was not prepared to enter into a discussion of these at the present time. He thought the Premier would see the force of the argument advanced by the hon. member for Chateauguay, in reference to pledging the House to the necessity of acquiring a portion of any road without explanation of any kind.

Mr. SPEAKER asked if the hon. gentleman meant that it was absolutely necessary for the consideration of this particular point that the House should go into Committee, there being no details submitted but simply an abstract proposition.

Mr. BOWELL said he was not prepared to state that it was absolutely necessary. He was not discussing that point, however, and would leave the question of order entirely in the hands of Mr. Speaker. It was quite clear that, as this resolution affirmed a principle, the House should have an opportunity to discuss it, and, perhaps it might be well to have a full discussion in Committee.

Mr. BLAKE said that as far as precedents went, the hon. the Premier was warranted in pursuing the course which he proposed to adopt. He apprehended, indeed, from what had transpired formerly, that his hon. friend was justified in intimating to the House the views which he had expressed. Notwithstanding that, however, he (Mr. Blake) would venture to submit whether the whole legitimate purpose that could be secured by such an intimation had not been accomplished and the force of these precedents taken away as far as this particular transaction was concerned. He thought it an undesirable thing that the House should be asked to affirm in advance the desirability of accomplishing a particular transaction when next Session, after making this affirmation,

Parliament would have to consider whether the terms were desirable. Indeed, the whole question was one of terms. After the intimation which had been given to the House, it was of course competent to any hon. member to dissent from the policy proposed, even to propose a resolution. He believed the general opinion of the House was that some arrangement should be made with the Grand Trunk Railway Company, but it was difficult to determine in advance what arrangement should be made without knowing the terms.

SIR JOHN A. MACDONALD said he would like to know whether the precedents cited had originated in Committee, and been concurred in afterwards. It was admitted that the Intercolonial Railway would not be a complete railway till the acquisition of this line was effected. That was his own individual opinion, and he had always expressed the same thing to hon. gentlemen privately and in the House as well. There was a great deal of force in what the hon. member for North Bruce said, as to these precedents being vicious, that they committed the House in advance without the Government being committed. This was a matter in which public revenue and property were concerned, whether the acquisition of the road was made by purchase, lease or some other method. When, therefore, the Government came down with their proposition, they should be able to submit a message from the Crown assenting thereto. The hon. gentleman who introduced it, however, had said he did not consider it right, under the circumstances, to go into detail until he got some authority from the House to proceed. He (Sir John A. Macdonald) considered that that was putting the cart before the horse. In propositions of this kind, where any surrender of money or money's worth was concerned, the Government should get their plans affirmed before they came down to the House with them. The House did not know what sort of arrangement was to be made, whether it was to be a running arrangement, the surrender of the line, or an absolute purchase; or whether an annual

payment for lease should be made, instead of making a purchase. Then, as to the point of order, he thought that if the hon. gentleman were to persist in his motion, the House should be allowed to go into Committee, so that hon. gentlemen might give expression to their views. It was rather a serious matter for the House to be asked to concur in the proposition without a single word of explanation.

MR. MACKENZIE said it was quite impossible that he could enter into any explanations at present, because he would have to discuss the whole subject in anticipation; and whether Mr. Speaker should rule it out of order or not, he should absolutely decline to enter into details. He would content himself with having given hon. members an opportunity of expressing their views, and he understood the general opinions of hon. gentlemen opposite were rather hostile to any arrangement. It was purely a matter of business, not a political question at all.

SIR JOHN A. MACDONALD: You cannot expect it to be a political matter; personally, I am in favour of it.

MR. MACKENZIE said it would be absurd for him to put the railway authorities in possession of his views, and, under the circumstances, he would withdraw his motion.

MR. MITCHELL said he thought the remarks made by the hon. the First Minister were concurred in by hon. gentlemen on the opposite side of the House. For his own part, he was entirely in favour of the country getting possession of the portion of the road referred to, and such also was the opinion of other hon. gentlemen with whom he had conversed. There was nothing like a hostile feeling towards the proposal—quite the contrary. He agreed with the Premier in thinking that it would be improper for him to enter into a free discussion of this matter, because as there were strong reasons for obtaining the line, there might also be strong reasons against it. Every argument which the

MR. BLAKE.

Premier could bring forward in favour of the scheme might be used against him by the railway company when he endeavoured to negotiate with them. He did not think it desirable that anything should be done which would interfere with the successful carrying through of an arrangement with the Grand Trunk Railway. The hon. Premier must recollect that the objection taken to the course he was pursuing did not come from the Opposition side, but from the hon. member for Chateaugay. There was no desire on their part to obstruct the arrangement, and hon. gentlemen from the Maritime Provinces, instead of expressing themselves as being hostile to it had remarked that it was absolutely essential that the acquisition should be made for the safe working of the Intercolonial road. The belief was that if the Government were not hampered, the Premier would be able to make a better arrangement than otherwise during the recess, subject, of course, to the approval of the House next Session.

MR. HOLTON said he thought the First Minister had acted wisely in withdrawing his motion. By doing so his hand would not be exposed, and if the Government thought the public interest would be best served by obtaining possession of this road, it would be their duty to submit a proposition of that kind to the House. It seemed to him that if the House had now affirmed, that it was necessary or expedient to acquire this road, the advantage would be all on the side of the parties with whom the Government would have to negotiate. These parties would be in a position to say: "The Parliament of Canada says, it wants this road; it cannot get on without it, or make its own lines productive or useful in any other way, ergo we will take advantage of the position and obtain all we can." He thought the logical effect of offering this motion, by his hon. friend the First Minister, was simply to give notice to the House that if reasonable propositions were submitted to him during the recess, he would enter into negotiations subject to the approval of Parliament.

Motion, *withdrawn*.

## NORTHERN RAILWAY FIRST MORTGAGE BONDS.

### NOTICE OF MOTION.

MR. CARTWRIGHT moved that the House resolve itself into Committee of the Whole on Tuesday to consider the following resolution:

"That it is expedient that the Government be authorized to subscribe the sum of £15,000 sterling first mortgage bonds of the Northern Railway Company of Canada, at the rate of ninety per cent., in satisfaction of the sum of £13,500 sterling, being balance remaining due by the said company to the Dominion of Canada."

He said the nature of the transaction was as follows: The House would remember that last year they agreed to accept for certain third mortgage bonds of the Company, amounting to £50,000 accumulating interest, the sum of £45,000 sterling, or thereabouts, and also a further sum of as nearly as might be £6,000, in liquidation of claims against the company, making a total of £51,000. This sum, together with a large amount in first mortgage bonds and certain other claims, was to be raised by issuing first mortgage bonds of the company, intended to be issued in London. Owing to the state of the money market, the company were unable to negotiate these bonds as they intended, in the ordinary way, and, after considerable delay, the second bondholders, of whom the Government formed part, agreed partially voluntarily and partially by assessment, to raise this sum. They applied to the Government of Canada in its capacity of second bondholders to the amount of £50,000, to allow an assessment to be made on them for a certain part of the amount, and, after some negotiations, the Government now recommended Parliament to subscribe £15,000 in lieu of the sum of £13,500, the balance remaining due. Technically, this would be that Parliament agreed to accept £38,000 plus £15,000 on stock at 90, on first mortgage bonds, in liquidation of their claim of £51,000, or thereabouts. It appeared to him that, under the circumstances, and looking at the fact that a good many of the second bondholders were voluntarily raising large sums, it would not be well for Parliament to throw cold water on the transaction; besides

which, the first mortgage bonds were an undoubted security, and the rate of interest which they would pay,  $5\frac{1}{2}$  per cent., would make it a very tolerable investment as things were going.

MR. BLAKE: I understand, then, that we have received the cash for all but £13,000, for which we are to receive £15,000 first mortgage bonds.

MR. CARTWRIGHT: That is the exact position. They have paid over the £38,000, and this is the balance.

MR. BOWELL: Why was the balance not paid also?

MR. CARTWRIGHT: Technically, they proposed to do so. The reason they did not was the very considerable difficulties, owing to the condition of the money market, which were experienced in floating the first mortgage bonds. In order to obviate this, a number of the second bondholders volunteered to become purchasers of these bonds; but I may add that a number refused to consent to this if the Government of Canada did not subscribe. I think, under the circumstances, and considering that we have got nearly £40,000 in cash out of the affair, and a good security, that it is a reasonable investment to make.

Motion agreed to.

#### HOMESTEAD EXEMPTION ESTATES BILL.

[BILL No. 44.]

(Mr. Mills.)

THIRD READING.

Bill reconsidered in Committee, amended, reported, read the third time, and passed on a division.

#### AUDITING OF PUBLIC ACCOUNTS BILL.

[BILL No. 53.]

(Mr. Cartwright.)

THIRD READING.

House resolved itself into Committee on said Bill.

Bill ordered to be reported.

House resumed.

Bill reported.

Amendment read the first and second times and concurred in.

Bill read the third time and passed.

MR. CARTWRIGHT.

#### DUTY ON MALT BILL.

[BILL No. 61.]

(Mr. Laurier.)

SECOND READING.

Order for second reading read.

MR. LAURIER said he would simply call the attention of the House to the provisions made in this Bill, to secure the collection of the excise duty on imported malt. It was provided that as soon as malt was imported it should be at once warehoused in bond, and that when it was taken out of bond the same excise duty should be paid on it as was paid on malt made in Canada. He moved the second reading of the Bill.

Bill read the second time.

MR. LAURIER moved that the House go into Committee on this Bill.

MR. BOWELL: If any objection be taken to this proceeding, can it proceed?

MR. SPEAKER: I am not prepared to say that.

MR. BOWELL said he merely wished to understand precisely the rule on this point, and not to take any such objection.

MR. SPEAKER: Our rule prohibits the reading of a Bill twice on the same day.

MR. BOWELL: Or the taking of two stages.

MR. SPEAKER: No. It says that two stages may be taken.

MR. MACKENZIE: A Bill may be advanced two or more stages in one day.

MR. BOWELL: It may be read three times in one day.

SIR JOHN A. MACDONALD: In case of urgency.

MR. SPEAKER said that the very frequent practice of the House had been to go into Committee of the Whole immediately after the second reading, where it was desirable to carry a Bill through rapidly, and to this practice no objection had been taken, so far as he was aware.



MR. HOLTON said that this was especially the case with regard to Bills like this, which originated in Committee of the Whole, and were founded on resolutions. Of course he could readily understand that, with regard to a Bill of an important character, and containing a great many clauses not originated in Committee, it might be considered objectionable to go into Committee at once; and, although he did not think that the rules of the House could be invoked against it, this might then be claimed to be an inconvenient practice. He thought that only one reading could be taken in any one day.

MR. SPEAKER: I think that has always been the rule, and I consider it the correct rule; but, if a measure for the appropriation of public moneys or the imposition of taxes were under consideration, I should certainly suggest to the hon. Minister in charge of it that it ought not to proceed more than one stage each day.

MR. BOWELL said his impression had been that, in the past, when objection had been taken to any two stages being proceeded with in one day, it had been sustained by the Chair; and, for the obvious reason that every possible opportunity should be given to object to or discuss any measure before the House, whether important or otherwise. Rule 43 stated that every Bill should receive the three readings on three different days, though on urgent or extraordinary occasions, a Bill might be read twice or thrice or advanced two or more stages in one day. This was permissive; and, if it meant anything, it simply meant permission to do that which otherwise could not be done.

MR. HOLTON: No doubt two readings can only be taken the same day by unanimous consent.

MR. BOWELL said that the only matter in dispute referred to two stages being taken in the day. To read a Bill a second time, and then to go into Committee were certainly two stages; but if this were ruled by the Chair, to be only one reading, this was an end to the matter.

MR. BLAKE said that there was no express statement in the rule that each stage should be proceeded with on a separate day. Of course, the rule was not very well written, but he considered that the rule permitted that to be done which was proposed.

MR. KIRKPATRICK said that May stated that a Bill might be recommitted as often as the House thought fit to do so; the report could be received at once, and the Bill, as amended, should be ordered to be taken into consideration on a future day. He now referred to the action taken concerning the previous Bill, and he held that the amendments should have been considered on a future day.

MR. SPEAKER: The authority is a little too late. The amendments had all been passed, and the question was on the third reading when the hon. member raised the objection.

MR. KIRKPATRICK: I beg your Honour's pardon; I said "to-morrow."

MR. SPEAKER: On the third reading.

MR. KIRKPATRICK: I did so on both occasions.

MR. SPEAKER: When a Bill comes out of Committee, it is open to any hon. member to take that objection. The hon. member took the objection on the third reading, but the authority cited did not apply to the other reading, though it did to the other stage.

MR. BLAKE: And even then the House has the power to consider the amendments at once.

MR. SPEAKER: Of course.

MR. BOWELL said that it was then quite clear that the minority had no protection under these rules of the House, as the majority could at any time declare any motion to be urgent and extraordinary. Any objection taken by a member of the minority would have no effect if the majority thought proper to overrule it, and, no doubt, they would do so, if the majority was such a one as they had at present.

MR. BLAKE said he thought that this was a very objectionable observa-

tion, and one that was not justified by anything that had taken place during the past five Sessions, when Ministers had continually yielded when it was proposed to defer discussion until a later day, if there was any objection taken. He thought that at present it was extremely convenient, at this late stage of the Session, to proceed more rapidly, in order to send bills up to the other branch of the Legislature, which, of course, was now the object of the Government.

MR. BOWELL: I am very glad that the hon. member for South Bruce has taken the Government under his wing. No doubt, they will now get on better.

MR. BLAKE: I only repudiate the allusion made by the hon. member to the majority.

MR. BOWELL: That does not change the fact.

House resolved itself into Committee on said Bill.

Bill ordered to be reported.

House resumed.

Bill reported.

#### ADDRESS TO THE GOVERNOR GENERAL.

MR. SPEAKER reported that a Message had been received from the Senate, acquainting that House that they have agreed to the Address to His Excellency the Governor-General, expressing the deep feeling of the regret of that House at his approaching departure from Canada.

MR. MACKENZIE moved :

That the said Joint Address be presented on the part of this House by such members as are of the Honorable the Privy Council.

Motion agreed to.

#### INDEPENDENCE OF PARLIAMENT BILL

—[BILL No. 14.]

[Mr. Laflamme ]

#### CONSIDERED IN COMMITTEE.

MR. LAFLAMME moved that the Bill be recommitted to a Committee of the Whole, with an instruction that they have power to amend the same by substituting the following for the first sub-section of the first section thereof:

MR. BLAKE.

(a) No person accepting or holding any office, commission or employment, permanent or temporary in the service of the Government of Canada, at the nomination of the Crown, or at the nomination of any of the officers of the Government of Canada to which any salary, fee, wages, allowance or emolument or profit of any kind is attached.

(b) No person entitled to any superannuation or retiring allowance from the Government of Canada.

(c) No Sheriff, Registrar of Deeds, Clerk of the Peace, or County Crown Attorney in any of the Provinces of Canada, shall be eligible as a member of the House of Commons, nor shall he sit or vote therein.

Motion agreed to.

(In the Committee.)

SIR JOHN A. MACDONALD said he very much regretted that the hon. Minister of Justice had not thrown out the clause rendering ineligible men in receipt of Government pensions. The only argument that had been brought forward in its favour was, that these officers who had been superannuated might be called upon to perform some Government service. There was not a single instance where an officer had been called upon to do service after his superannuation; therefore, why should they not consider it as not in the Act. In England a special Act of Parliament had been passed to remove all doubts with regard to men receiving Government pensions being eligible.

MR. IRVING said that in respect to the law of England, the Act referred to by the hon. member for Kingston did not refer to all pensions.

MR. BLAKE said they were only considering certain amendments now, and this discussion would more properly come upon the third reading.

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

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

**After Recess.****CANADA PACIFIC RAILWAY ACT  
AMENDMENT BILL.—[BILL No. 52.]***(Mr. Taschereau.)***THIRD READING.**

Order for consideration of amendments made in Committee on said Bill *read*.

MR. MACKENZIE said the amendment simply rendered it obligatory to have any lease sanctioned by the House.

MR. LANGEVIN said this Bill met one of the objections made the other day, but it did not meet the other objection, that the Government asked leave to make arrangements with a company which had no direct connection with Lake Superior.

MR. MACKENZIE: That is discussing a thing not before the House. There is no company mentioned here. The House will pass upon that when it will be brought down. We are simply asking authority to make an arrangement to submit to the House.

MR. LANGEVIN said, if this Bill were not passed, the Government could still make an arrangement with that or any company, subject to the approval of Parliament.

MR. MACKENZIE: The law officers say not.

MR. LANGEVIN said the hon. gentleman must have misunderstood the law officers, or he must have asked the question in another shape, namely: whether an agreement made by the Government with such company would be binding before being ratified by Parliament. But the Government could enter into negotiations with any company, and draw up the terms of agreement to be submitted to Parliament. If the Government had not that right, they would not exist at all; they would have no power whatever.

*Amendments concurred in.*

*Bill read the third time and passed.*

**BROCKVILLE AND OTTAWA AND CANADA CENTRAL RAILWAY AMALGAMATION BILL.**

[BILL No. 9.]

*(Mr. Galbraith.)***CONSIDERATION OF SENATE AMENDMENTS.**

MR. GALBRAITH moved that the amendments made by the Senate to the Bill No. 9, to amend the Acts incorporating the Brockville and Ottawa Railway Company, and the Canada Central Railway Company, and to provide for the amalgamation of the said Companies, be read the first time.

*Motion agreed to.*

**WINDING UP INSOLVENT INSURANCE COMPANIES BILL.—[BILL No. 65.]***(Mr. Cartwright.)***CONSIDERED IN COMMITTEE.**

Order for the House to resolve itself into Committee on said Bill *read*.

MR. WHITE (North Renfrew) said that having considered the provisions of the Bill, it seemed to him that if passed in its present shape, it would cause very serious losses to creditors of insolvent insurance companies. If he understood the provisions of the Bill aright, it was intended to facilitate the winding up of the affairs of insurance companies, so that the assets of those companies might be more speedily distributed to the creditors than was possible under the present system. He found that in the 12th clause it was provided that:—

“Holders of policies or contracts for insurance on which no loss has accrued shall be entitled to claim as creditors for any loss which may accrue during the continuance of the risk within six-months after the issue of the writ of attachment, or the making of the assignment; and in case no such loss accrues, for a part of the premium paid proportionate to the period of their policies or contracts respectively expired at the end of the said period of six months; and such claims shall rank with judgments obtained and claims accrued in the distribution of the assets: Provided always, that whenever the company, or the holder of the policy or contract of insurance, exercises any right which it or he may have to cancel the policy or contract, the holder of the policy or contract shall be entitled to claim as a creditor for the sum which, under the terms of the policy or contract is due to him upon such cancellation.”

Now, while that clause provided very effectually for the class of creditors who might claim as having sustained losses under the terms of their policies, he thought it did not provide sufficiently for the claims of those policy holders, who might choose on the insolvency of a company to reinsure with other companies; and he submitted that, in passing a bill of this kind, it was necessary to provide for the interests of that class of creditors. He would call the attention of the hon. the Minister of Finance to the case of a local company which became insolvent during the past summer—he referred to the Provincial Insurance Company. That company, on the 27th June, issued a circular to their agents in which he found the following paragraph:

“It is with deep regret I have to inform you that the great fire at St. John will cause the suspension of this company. We think it would be your duty to inform all your customers of the position of affairs at the earliest possible moment. We hope to be able to pay a respectable dividend to all creditors but there may be many policy holders who may desire to protect themselves fully by insuring afresh in some other company.”

Now, it was within his knowledge that some of these policy holders, in order to protect themselves, did insure in other companies, and it was held by the Provincial Insurance Company that the fact of their having done so cancelled their policies and they were precluded from participating in the division of the assets of that company. He desired that some amendment should be introduced whereby the holders of policies in insolvent companies, should be free to insure in other companies from the time that the insolvency was made manifest, and be entitled to claim for the amount of their premiums from the time such re-insurance was effected until the expiration of the policy. He found in the third clause it was provided that:

“No application for a writ of attachment and no assignment of the estate shall be made until after the company has, whether before or since the passing of this Act, become insolvent by failure to pay any undisputed claim arising, or loss insured against, for the space of sixty days after being due

and payable, or, if disputed, after final judgment and tender of a valid legal discharge, and, in either case, if the company be licensed under the Acts respecting insurance, after notice served on the Minister of Finance, as provided by the 16th section of an Act respecting insurance, passed in the thirty-eighth year of Her Majesty's Reign, and chaptered twenty.”

Now a case of this kind might arise: it might be manifest to every person that a company was insolvent, and the policy-holders might deem it necessary in their own interests to reinsure. If that was done, the parties so insuring would not, if he understood this Bill aright, be entitled to participate in the division of the assets of the company when placed in the hands of a receiver or assignee; and he thought, therefore, that the clause should also be amended so as to provide that policy-holders should be entitled to claim for their premiums from the time they might have insured in other companies, provided that reinsurance should not begin more than two months previous to the issue of the writ of attachment against the insolvent company.

**MR. CARTWRIGHT:** Has the hon. gentleman prepared any clause carrying out his views.

**MR. WHITE** said he would suggest that the following be substituted:

“From the time the said policy-holder shall have reinsured, provided that if the said reinsurance shall have been effected more than two months previous to the issue of a writ of attachment, he shall not be entitled to claim unless with the consent of the company.”

House resolved itself into Committee on said Bill.

(In the Committee)

On the 12th clause.

**MR. BLAIN** said he would suggest that the Judge should have the power to extend the time beyond for 1, 2, 3, 4, 5, or 6 months beyond the six months of application it was thought desirable. It had been stated by parties who knew exactly how this company was situated, that, if it were permitted to go on and wind up its business, 10 cents on the dollar would be paid; but if it had to stop short, the company would probably be hopelessly insolvent.

**MR. WHITE.**

MR. CARTWRIGHT said that with the 60 days given, under the existing Statute and the further period of six months, there was not much ground for asking for further delay. All things considered, he thought it would be neither safe nor prudent to extend the time.

MR. WHITE (North Renfrew) said he thought that the claims of parties who sustained loss at the time a company became insolvent, or continuing its risks, caused them to sustain loss afterwards, should be fully provided for. Policy-holders who deemed it prudent to reinsure in other companies, on the fact becoming known that the company in which they had insured was insolvent, should be allowed to enter their claims on the unearned premiums, and these claims should be collected with those of the parties who had sustained loss. A case in point had occurred: a company becoming insolvent gave notice of this fact to their policy-holders, and when those had reinsured presented their claims on the unearned premiums, they were told that because they had reinsured their policies were cancelled, and having done so without the consent of the company, they were not at all entitled to be considered in the distribution of the assets. He would propose an amendment in the sense he suggested, providing however, that where reinsurance were effected more than two months before the issue of the writ of attachment no claims on the unearned premiums should be valid without the consent of the company which issued the policy; consequently persons who reinsured within these two months would be entitled to enter such claims from the time they had reinsured.

MR. BLAKE said that the suggestion offered only showed what a degree of embarrassment was connected with the treatment of this question. There was some merit in, and argument for both propositions, but he thought that on reflection the difficulties in the way were almost, if not quite, insuperable. The suggestion of the hon. member for North Renfrew would interfere with contracts entered into between the policy-holders and these companies, which would be always

exposed to the risk of reinsurance, which would void these contracts, etc. He considered that the Bill was fair enough for both the policy-holders and the companies. He thought that it would be better for insolvent policy-holders who reinsured to suffer the insignificant loss which this would occasion, than to attempt to change the contract between them and the companies.

MR. WHITE said he submitted that if a writ of attachment was issued within two months from the time of reinsurance, such policy-holder was entitled to enter a claim on the unearned premiums to as great a degree as a person who might have sustained loss in this connection.

MR. DAVIES said he thought that the suggestion of the hon. member for North Renfrew was a good one.

MR. BLAIN said that it was shown before the Committee on Banking and Commerce, that the company whose case was under consideration, made a condition that it might put an end to the policy at any time and return a proportionate premium, or put an end to the policy and demand back a proportionate part of the premium paid. He held that the rights of policy-holders should be allowed to remain as they were when the policy was issued. The combined operations of sections 12 and 14 would make it necessary that all these policies should come to an end at any time within six months. He thought it was reasonable and desirable that the time should be extended, as the Bill at present simply and entirely tied up the hands of the company. He would suggest that, in a proviso, the time should be extended to six months.

MR. WHITE (North Renfrew) said that as to a provision that policy-holders should have the right to return their policies to be cancelled, and should then be entitled to receive back a certain portion of the premiums they had paid, he ventured to say there was no other insurance company that made a provision of that kind, and this Bill was not intended to apply to the Agricultural Insurance Company, but to all the insurance companies in

the country. But he did say that on a company proving insolvent, the policy-holder was entitled to be looked upon as a creditor, just as much as one who had sustained a loss.

MR. KIRKPATRICK said that the policy-holders, finding the company becoming insolvent, and knowing there would be a loss of time in collecting their insurance, went and insured in another company. That act cancelled their policy, and they had no claim. But they should have a claim, because what forced them to insure in another company was the insolvency of the company in which they were insured.

MR. BLAKE said the contract between the insured and the company made a further insurance on the part of the former with the consent of the company, void the whole contract. When the hon. gentleman said they were to make another bargain for the insured, although he had already a bargain that if he again insured without their consent, his contract should be void.

MR. BOWELL said such a stipulation on the part of the company was, no doubt, necessary, because, without it, a man would insure his property for double or treble what it was worth. But, surely, in cases where the company became insolvent, the insured should have some claim upon the non-earned premium he had paid in. He would give an instance: The Provincial Insurance Company, after the fire at St. John, sent out a circular from the head office to their various agents announcing the suspension of the company. Acting upon that, many parties reinsured in other companies, but when they made their claim against the company for unearned premium, they were told that they had insured without consent of the company, and, therefore voided the contract. He fully agreed that when notice had been given of the insolvency of a company, the policy-holders should be enabled to claim, notwithstanding that they had re-insured.

MR. KIRKPATRICK said he would suggest a few words to follow the 12th clause: "Provided, also, that the

policy-holders are re-insured after the issue of the writ of attachment, shall be entitled to claim as creditor upon the unpaid premium, notwithstanding any condition rendering the policy voided on the occasion of re-insuring with consent."

MR. BLAKE said he would recommend his hon. friend the Minister of Justice to take this into consideration before the next stage of the measure.

MR. WHITE said the 15th section was somewhat objectionable in providing that assignees should be entitled to re-insure in any other company they might choose.

MR. BLAKE said: 1st, the majority of creditors had to agree, and premium holders had a right to vote, though, of course, the majority would not; 2nd, the Judge had to consider the matter; 3rd, the discussion as to reinsurance was limited to companies certified by the superintendent to be of good standing.

MR. KERR said the 15th section was objectionable in not giving the companies the option of repaying the unearned premium for reinsuring in other companies. The policy-holders could not expect to be placed in any better position than that for which they originally contracted. In nine cases out of ten policy-holders would prefer to demand a return of the unearned premium rather than allow the company to reinsure in other offices, even though these offices were approved by the Superintendent of Insurance. He quite understood in many instances it would be much more advantageous to the company to reinsure in other offices than to refund the unearned premium; but, according to the provisions of this 15th clause, that option was taken entirely from the company or assignee and was placed wholly with the creditors, which gave them advantages they did not originally possess, for by reinsuring in companies of good standing they would, in almost every case, save money. Suppose a risk were taken for three years at a premium of \$9. Out of that there would be the agent's commission and expenses, and although the holder paid \$9, the net premium to the company would

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amount to about \$4.60. Suppose one year had elapsed, the policyholder would claim two-thirds of his premium, or \$6; or, in other words, the company would have to pay \$1.40 more than they realized from the risk. The Government should reconsider this matter, and leave it optional with the companies to reinsure or not, and if they did not exercise this option after the expiration of six months, then the policyholders could claim to rank as creditors for the unearned portion of the premium.

MR. BLAKE said under the contract the assured made with the company the company had no right to transfer its liability to another company. In case the company became insolvent, it was proposed that it should have the right to transfer the policy to another company with the consent of the assured. To give the company the power to force the assurers to take up any arrangement with another company, seemed to him to be unreasonable.

Bill ordered to be reported.

House resumed.

Bill reported.

#### THE QUEBEC CRISIS.

##### ADJOURNED DEBATE.

Order to resume the adjourned Debate on Mr. Cartwright's proposed motion, "That Mr. Speaker do now leave the Chair, for the House to go again into Committee of Supply,"—and of Sir John A. Macdonald's motion in amendment thereto:—"That Mr. Speaker do not now leave the Chair, but that it be *Resolved*, that the recent dismissal by the Lieutenant-Governor of the Province of Quebec of his Ministry, was under the circumstances unwise, and subversive of the position accorded to the advisers of the Crown, since the concession of the principle of responsible Government to the British North American Colonies,"—*read*.

MR. MITCHELL said he had listened with great attention to the debates which had taken place in relation to this matter, especially to the admirable political and constitutional speech of the right hon. the member for Kings-

ton, replete, as it was, with information connected with the history of the past, and filled with the records of the decisions upon which the Constitution of our country was founded; but, he must say, he listened with disappointment to the statement made in reply by the hon. the Premier. One would have expected that on this the first occasion upon which a strain had been put on our Constitution, a reply from the First Minister to the admirable speech of the right hon. member for Kingston, the authorities produced, the statements made, the allegations put forward, the reasons given, would have been met in a manly straightforward way by the hon. the Premier, or by those hon. gentlemen who so ably supported him when occasion required. But what was the fact? There was no such manly statement made, no such answer given to the constitutional objections raised, no such quotations of authorities made as would meet the case put by the right hon. mover of the resolution. The reply of the hon. the Premier was, to his mind, an evasion of the real question at issue; he raised false issues, spoke of events which occurred in Canada which had no bearing on the subject, of questions in which the people of the Maritime Provinces had no interest. What was the question to be considered? The question was, had the conduct of the Lieutenant-Governor of Quebec been constitutional and right, or had it been of a character to lead to the subversion of the constitution and to anarchy and confusion. To his mind, the course pursued by Mr. Letellier de St. Just had been one, which, if sustained by the vote of this House—and he very much feared from the course pursued by hon. gentlemen opposite, that it would—would lead to anarchy and confusion. He had expected, from the proposition made by the right hon. member for Kingston, that this matter would be considered irrespective of party politics, with that calm consideration which ought to be brought to bear on questions concerning the future of our country. He had found, on the contrary, an attempt made to stifle the debate, to prevent the free expression of public opinion, to avoid

meeting the issue and say whether Mr. Letellier was right or wrong. The Government and its supporters sat in silence and called for a vote without discussion, in order to precipitate a vote on the country and obtain a snap verdict; he would not say for what purpose, but he would tell the result. If the decision which hon. gentlemen opposite expected, were arrived at, the result would be that every Lieutenant-Governor in any of the Provinces, would find that he had been created, by a vote of this House, a despot, not bound by constitutional rules and principles. He had expected that the hon. member for Chateauguay and the hon. member for South Bruce, both of whom, he regretted were absent to-night, those two gentlemen who so carefully guarded the constitutional rights and privileges of Parliament, who were so well able to speak on questions of this character, than whom none understood better what was right or wrong, in relation to them, would not have remained silent, but would have given expression to their views, as to the constitutionality or unconstitutionality of this arbitrary act of the Lieutenant-Governor of Quebec. He was amazed at their silence. He felt they had abdicated their functions, they had failed to maintain the position they had hitherto occupied as great constitutional authorities, as arbiters of this country. He regretted they were not here to-night to answer his charges. Why had they remained silent? Because they knew they could not justify the act, and because their party proclivities would not permit them to condemn it. These were the reasons which, he feared, had caused their silence. But he had hoped these hon. gentlemen would have been here to answer for their silence, and to explain it. He had come to this House as an independent representative; one free from party politics, who occupied an independent position, and who had the courage to express his opinions, and to warn the people that our Constitution was now on its trial, in its earliest stage, and that if party were allowed to predominate over patriotism, and a party vote were given on this question, a precedent would be

created which would undermine the first principles of our Constitution. If it were permitted that a precedent should be created, which was not justified by British constitutional history, he trembled for the future of Canada. He would not consider the reasons which Mr. Letellier had assigned for dismissing his Ministry, but would simply relate the facts as he understood them, and refer to some authorities which had been referred, to in his absence, by hon. members who, with himself, had taken part in the case which had occurred in his own Province. The reasons given by Mr. Letellier for his action were of a flimsy character, and unworthy of any one occupying the position of Lieutenant-Governor. What right had Mr. Letellier to dictate to his Ministers as to whether it was judicious to tax the people or not? It was the representatives of the people who had the right to decide on that point; and while Mr. DeBoucherville possessed a majority in the Legislature of Quebec, it was none of Mr. Letellier's business as to whether the taxation imposed was large or small, so long as his responsible advisers were prepared to assume the responsibility of the measures they passed. It had been alleged that there were precedents for Mr. Letellier's act. He would not enter into the constitutional question and endeavour to prove that such was not the fact, for that had been done already; but he would show by analogy that some of the cases brought forward in opposition to the course taken by hon. members on this side of the House, and in support of Mr. Letellier, did not apply. Two precedents had been quoted in connection with New Brunswick, and with these he was perfectly familiar. The Manners-Sutton case in 1856, and that of Governor Gordon, had been quoted as justification for Mr. Letellier. In the former case, what was known as the Maine Liquor Law, had been passed in New Brunswick, under the auspices of the Fisher-Tilley Government, which was supported by an ample majority to enable it to carry on the business of that Legislature. Within ten days after the rising of the Legislature, the Governor called upon his Ministers to re-assemble Parliament,

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for the purpose of repealing that Act, which had been passed. They refused to do so, and they were not dismissed, as was said, but they resigned rather than consent to recall Parliament to repeal the Act. True, that on an appeal to the people all the members returned, except two, voted for its repeal. Was that a complete justification of the Lieutenant-Governor's act? Within twenty-four hours after the Legislature had repealed the Act, they placed on record a resolution declaring want of confidence in the members who had induced the Governor to dissolve the Assembly in an unconstitutional manner. He (Mr. Mitchell) had been informed that it had been stated that the Governor was sustained by the Colonial Office. But there was a simple acknowledgment of his statement, and Mr. Manners Sutton very shortly afterwards had to leave the country. That case presented no analogy to the DeBoucherville case. In the former case there were numerous petitions presented from all parts of the Province asking that the Marine Liquor Law should be repealed. It was on these petitions the Lieutenant-Governor acted, and although he and others did not sympathize with this action, but he considered he did a very high-handed act. On an appeal to the people his former Government, who resigned, were sustained by a large majority in the House of Assembly. In regard to the second case, which was considered one of greater importance, the hon. the Minister of Marine and Fisheries was said to have made certain statements. He did not know whether it was a correct report, but for the purpose of his argument he would assume it was correct, until it was disavowed. If the report were correct, it was not a true representation of the facts as they occurred at the time. The hon. Minister of Marine and Fisheries and himself were somewhat prominent figures in the events of 1866, and when the hon. gentleman undertook to cite the experience of that year as a precedent for the action of Mr. Letellier, he should have told the whole story. He (Mr. Mitchell) would state the facts.

It was very well known that after the Quebec Conference, to which he had the honour of being a delegate, and before they went down to New Brunswick, it was decided that they should not disclose the terms at which they had arrived, until every one of the delegates had explained them to their colleagues in the respective Governments. When they, the delegates, returned to New Brunswick, the Press clamoured for information, which was not given, their mouths being closed by the arrangement entered into at Quebec. The opponents of the Government made use of that fact to create antagonism and opposition to the scheme. Party politics were brought into play, and most violent attacks were made on those supporting the Quebec Conference, and before the delegates could take the public into their confidence, the terms became known, and that portion of the Press which was hostile to Confederation made capital out of the fact that they had not taken the people into their confidence. That was the first stone thrown at Confederation, and the blow was a pretty severe one. The present Minister of Marine and Fisheries (Mr. Smith), who had left the Provincial Government some time before, because he was opposed to Confederation, took advantage of what he saw was the turning-tide against the Government, and came out against Confederation, and an appeal was made to the people—New Brunswick being the only Province in which an appeal was made—to endorse the terms of the Quebec Conference. The result of the elections was that the Government returned with only 11 members out of 41, and the present Minister of Marine and Fisheries was called upon to form an Administration hostile to Confederation. His (Mr. Mitchell's) party was, comparatively speaking, annihilated; but, when he handed in his resignation, he told the Lieutenant-Governor that before twelve months had passed there would be such a change of feeling on the Confederation question, the Ministry would scarcely be able to carry on the Administration. He felt that the condition placed upon the delegates at the Quebec Conference had paralyzed their efforts and given to the Opposition an opportunity to crush

their action at the outset. He felt, however, that when the sober second-thought of the people of New Brunswick considered the question, they would perceive there were advantages, as they had found, in entering into a great Union of the Provinces, and that before long the tide would turn in favour of Confederation. The hon. the Minister of Marine and Fisheries got through one Session, and before he reached the second, he found that the policy of the British Government was to carry Confederation, and simplify the system of Government at the Colonial office, and deal with one Government instead of six. The Provinces, if united, could, also, more effectually maintain British power and rule, and diminish the influence of the United States on the continent, than if the Provinces were separated. The Imperial Government, therefore, instructed Governor Gordon that it was desirable to endeavour to bring about Confederation, and that the interests of the Empire were involved. When the Governor returned, after visiting England, he sent for the present Minister of Marine and Fisheries, informed him of the wishes of the British Government, showed him a despatch from Mr. Cardwell, instructing him to use his best efforts to bring about the Confederation of the British American Provinces; and the hon. gentleman (Mr. Smith), as he (Mr. Mitchell) was informed at the time by Governor Gordon, expressed his approval of the object that was contained in Mr. Cardwell's despatch, and led Governor Gordon to believe—as the Governor informed him—that he would co-operate with him and endeavour to influence his colleagues to bring about Confederation.

**MR. SMITH** (Westmoreland): That is not true.

**MR. MITCHELL** said the House would have an opportunity of judging whether it was true or not. The hon. gentleman, who was Premier of the New Brunswick Government, was sent down to Washington on the eve of the repeal of the Reciprocity Treaty, Messrs. Galt and Howland proceeding there from the Provinces of Quebec and Ontario. When he (Mr. Smith)

returned, he was informed by the Lieutenant-Governor that it was the wish of the Imperial Government that Confederation should be carried. The hon. gentleman informed the Governor, as the correspondence showed, that he was very doubtful whether he could carry the Confederation scheme or not; he asked time to consult his colleagues and friends, and when he returned he informed the Governor that he hoped to be able to carry it, and in the manner pointed out in the record. What did the hon. gentleman do? When the Legislature met, he placed a paragraph in the Speech promising to carry Confederation, or rather stating that the wish of the Imperial Government was that the Provinces should be united, and that the suggestion would receive respect and attention. The hon. gentleman was, therefore, elected by the people to oppose Confederation, and yet, as head of the Government, he inserted the following paragraph in the Speech from the Throne. No. 11 was as follows:—

“The correspondence which has taken place between Her Majesty's principal Secretary of State for the Colonies and the Governor-General of Canada on the affairs of British North America, when laid before us will receive due attention, and the opinion expressed by Her Majesty's Government will command that respect and attention which is due to the suggestions emanating from so high a source; but in any scheme for a Union of the British North American Colonies which may be proposed, it is, in the opinion of this House, absolutely essential that full protection should be afforded to the rights and interests of the people of this Province, and no measure which fails to obtain these objects should be adopted.”

This paragraph was placed in the speech of the Minister, who was only elected a year before, against Confederation. It was true that the hon. gentleman proclaimed that he was going to carry Confederation. The result was that the hon. gentleman led the Governor to believe that he was favourable to the carrying of Confederation, but that he required to do it in his own way; and he suggested that he could get Committees of the House struck, or a Joint Committee of both, as, after consultation with His Excellency, was thought most desirable for the purpose of having Parliament committed to Confederation; but this the hon. gentleman failed to do. The

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hon. gentleman continued for forty days without making an answer to this Address, and every day he lost his supporters. The members numbered 29 to 11, in favour of the hon. gentleman when he came in, and when he wound up the Session, he had only 22, out of 41, to sign the protest he uttered against Governor Gordon; and the result of all this was that the Governor believed that the hon. gentleman was sincere in his desire to carry Confederation, that he hoped he would be able to accomplish it, and that he was desirous of doing so; but the hon. gentleman kept his answer back from the Legislative Council of which he (Mr. Mitchell) was a member for something like thirty odd days. They had waited this time for a reply. The hon. gentleman allowed business to come to a stop, because he had not pluck enough to come down at once and say to his supporters in the House that he had changed his views in relation to the Confederation of the Colonies, and that he was prepared to submit a measure, and would ask them to support him in order to carry it. This was the reason; but the negotiations which lasted for something like four weeks, between His Excellency and the hon. gentlemen, led the Governor to doubt the good faith of the hon. gentleman, and, finally, His Excellency found out that the professions made by the hon. gentleman, as to his desire to carry out this scheme, either could not be fulfilled, or, if they could be carried out, that the hon. gentleman was unwilling to take the risk, and responsibility, and danger of attempting it. When this matter was quoted as an authority and precedent for the unexampled conduct of Mr. Letellier de St. Just, he was amazed that the hon. gentleman had had the courage to dare to do it. There was no analogy between it and this case. He would not say that the Governor dismissed that Ministry, for he did not dismiss it; but the reason why the Governor placed these gentlemen in the position they occupied, was this, they led him at the outset to believe that they could carry Confederation, and that they were inclined to do it.

Mr. GILLMOR: They did not do any such thing.

Mr. MITCHELL: The hon. member from Charlotte says they did not do so, but I say that they did; and I can prove it. They led him to believe that they could carry Confederation.

Mr. GILLMOR: They did not.

Mr. MITCHELL said, that despite the hon. gentleman's assertion to the contrary, he would prove it. His hon. friend from Charlotte might not have been in the confidence of the then Premier; but he would prove by the statements contained in this book and the records, that this Ministry led the Governor to believe that they would carry Confederation and they kept His Excellency in that belief during the sitting of the House for nearly 40 days, when no business could be done. They were afraid to pass the Address and a vote of want of confidence was then pending in the House in which a year before the hon. gentleman had a support of something like 29 to 11 or 30 to 11; and after failing to carry this Address—and to this hour that Address had never been answered,—the Legislative Council passed an answer to the Address. When the Governor found himself in this position, he felt compelled to reply and give the answer which he did give to this Address. The hon. gentleman objected to undertaking the responsibility of this answer, notwithstanding the fact that the hon. gentleman had led the Governor to believe that he would do so, the hon. gentleman refused to take this responsibility and the consequence was that the Governor said:—"Well, you have either got to do that or you have got to take the other course; you have led me to believe that you would carry out Confederation; you have read the despatches which I have sent you, and you have read my statements as to the wishes of Her Majesty's Government; you have encouraged me to hope that you would carry Confederation, and carry it out in your own way; but you have failed to do that, and now, when the Legislative Council has passed an Address in response to that paragraph in your speech, you turn round and tell me you will not take the responsibility of the reply I make, though it will be meeting the wishes of Her Majesty in endeavouring to carry out the Confed-

eration policy which you endorsed." This was the cause of the hon. gentleman's resignation; and there was no analogy whatever between this case and the case of Mr. Letellier de St. Just. The hon. gentleman knew, and His Excellency knew, that in their repeated conversations they had agreed to carry Confederation, and to do so in their own way, but they had agreed to carry out this policy, and he (Mr. Mitchell) had aided them to do it. He had aided them in this relation; and when he found that his hon. friend did not get up in the House and boldly proclaim his position, and what his intentions were, he felt the great danger in which the hon. gentleman stood, either because of his insincerity, or because of his inability to carry out the propositions which had been agreed upon between His Excellency and himself (Mr. Smith.) When it was pretended that Mr. Letellier was justified by this action of Governor Gordon in the course he had pursued, he (Mr. Mitchell) was bound to say that there was no analogy whatever between these two cases. In the one case Mr. Gordon did not ask for the resignation of his Ministers, or they voluntarily sent them in; and for what? Because they were unable to carry out what they had encouraged His Excellency to believe that they could obtain, or because they were unwilling to carry out this policy, finding that it was going to place them in a position of embarrassment in the country. In this other case, the case of Mr. Letellier, what did they find? That Mr. Letellier de St. Just, with a Government which had a majority of from 18 to 20 in Parliament which was able to carry on all its measures, which had the confidence of the country, which had no embarrassment in the Upper House, which was in perfect accord with the Legislative Council, and which had no difficulties whatever, except that Mr. Letellier de St. Just thought that it was desirable to get rid of them—had taken this action; and he made the pretext, the flimsy pretext, stated in these papers, the ground for his having forced them to resign, or rather for dismissing them; while, in the other case, Mr. Gordon was compelled so to act by his

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instructions from the Imperial Government. The fact was that it was an Imperial concern in the case of the New Brunswick embroglio, and of the hon. the Minister of Marine and Fisheries. His Excellency was compelled by regard for the Imperial interests, which he was representing, to pursue the course which he did; and, therefore, there was some justification even for dismissing those gentlemen, because His Excellency was dealing with a question in which Imperial interests were concerned. But the other case had no connection whatever with Imperial interests. It was a pure question of domestic policy, and a pure family quarrel; and there was a desire, he took it, on the part of Mr. Letellier de St. Just, to get possession for his political friends of the administration in the Province of Quebec, for the purpose, also, of controlling the Dominion elections when they came round. This, after all was really the case in point. As the correctness of his statement had been impugned in relation to this matter, he would show the House what the Lieut.-Governor said on the subject.

Mr. SMITH: You ought to read the whole of it.

Mr. MITCHELL said he would certainly do so if the hon. gentleman desired it; but he would rather read what he considered necessary, and then the hon. gentleman could read the rest. He would quote as follows:—

*"Memorandum of Conversation between His Excellency and Mr. Smith:*

"On Saturday, the 7th instant, about 11 o'clock, a.m., I called at Government House, and had an interview with His Excellency, and, in the course of conversation, the proceedings of the Legislative Council were referred to, when I spoke in terms of disapproval of the course which they had adopted in reference to the subject of Union. Something was said about the presentation of the address, and His Excellency's reply thereto, when he asked me what answer I would advise? I replied that, in my opinion, the answer to be given should simply be that he would transmit it to Her Majesty. His Excellency said he would think of it, and see me again. He did not state that he intended to receive them that day, and I had not the most distant idea that he intended to do so. I then parted with him.

"A few minutes before three o'clock of the afternoon of the same day, in my place in the House of Assembly, I received a note from him, saying that he wished to see me at once. I immediately repaired to Government House, and after a short conversation with him upon other matters, he informed me that he was going to receive the Legislative Council, with their address, at three o'clock. I expressed my surprise at this, and enquired what answer he intended to make. He then handed me a paper which contained his proposed disapproval of it, and complained that he had not advised with his Council before preparing it; that as they were responsible for it, they should, at least, be consulted before it was given. He remarked that if they did not approve of it they could relieve themselves of responsibility. I replied, even if that were true, was it courteous and fair that the Council should be treated in that way; that what they asked from His Excellency was fair play, not as a favour, but as a matter of right. He then proposed that I should drive down to the House of Assembly and see my colleagues, and return in half an hour, and he would keep the Legislative Council (who, in the meantime, had arrived at Government House) waiting until I returned. I said I could not do this, that the debate on the Vote of Want of Confidence was going on, and that they would not leave the House, and besides they could not possibly consider so important a question in a few minutes. His Excellency then proposed to send one of the carriages that were standing at the door for them. I then stated they could not leave the House. He replied, 'I suppose not.' I further stated that it was unfair and ungenerous, and not such treatment as the Council had a right to expect, to be called upon in this sudden and extraordinary way in a matter so important. I expressed my condemnation of the course adopted by the Legislative Council, and urged the impropriety of their praying Her Majesty the Queen to cause a law of the Imperial Parliament to be passed, giving effect to a scheme of Union which both the people and the House of Assembly had rejected by overwhelming majorities, and that I never would consent to any address which authorized the Imperial Government to pass an Act for Union without reference to the people. I thought His Excellency seemed disposed to yield the point and strike out the last paragraph of the answer, which I considered very objectionable. He then asked me to excuse him, and left the room to consult, as I thought at the time, and from information received since I am confirmed in that opinion, a gentleman of the Opposition and a member of the Legislative Council, who was in the House at the time. He returned in a few minutes, and after some conversation similar to that already detailed, told me that he would deliver the answer as it was, and sent me a copy in the evening. I remonstrated against such conduct, but concluded by saying, that

if he had resolved upon that course, it was in vain to protract the interview. I then left him:

"(Signed) A. J. SMITH.

There was the letter from the Governor to Mr. Smith after he had understood from Mr. Smith that he was in favour of coming into the Union. He would further quote as follows:—

"His Excellency considering that the speedy accomplishment of a measure of Union was now a matter of almost absolute certainty, addressed to Mr. Smith, on the 7th of March, a letter, of which the following is an extract:—

"I have been much gratified, though not surprised, to find that you are disposed to approach the question of Union, as it now presents itself, in a large and statesmanlike spirit, and to realize as facts the necessities which are imposed by the actual condition of affairs. There is nothing which more distinguishes a statesman from a man incompetent to deal with great affairs, than this power of appreciating the changes, the mode and the obligation (often a most irksome one) of acquiescing in a course which, *per se*, he considers open to objection, in order to prevent evils of yet greater magnitude."

"Mr. Smith did not contradict the presumption on which this letter was founded, and verbally acknowledged the terms in which His Excellency therein spoke of his conduct.

"Upon the distinct understanding, therefore, that the Government would endeavour to procure the passage through the Legislature of resolutions affirmative of the principle of Union, and with the impression that an address, praying Her Majesty to move the Imperial Parliament to give effect to such resolutions, was to be subsequently adopted. His Excellency felt justified in omitting, at the request of his Council, from his Speech at the opening of the Session, the strong recommendation of Union which he would otherwise have felt it his duty to introduce, but the responsibility for which his Ministers felt they could not then assume.

"Since the commencement of the Session, however, the course of the Government has shown little indication of a movement in this direction.

"His Excellency has never ceased to urge on Mr. Smith, the expediency, and indeed necessity of a bold avowal of his intended policy; nor has he failed to express his apprehensions as to the consequences of delay in doing so, believing until that avowal was made, Mr. Smith would become daily more and more entangled in contradictory pledges from which he would find it impossible to extricate himself, and which might act most prejudicially on the pros-

pects of the cause; whilst at any time circumstances might call for such action on the part of His Excellency as would place him in a position of apparent antagonism to his Council, and prove productive of very serious embarrassment. This course, however, the Government did not pursue, and it became more and more clearly apparent to His Excellency that they lacked the power—he will not suppose that they lacked the will—to carry out their original intentions. Their hostility to the particular form of union agreed to at Quebec, was distinct and emphatic, whilst their approval of even an abstract union of an indefinite character, became daily more vague and uncertain.

“On more than one occasion His Excellency noticed these facts to Mr. Smith, who replied that the reports received by His Excellency as to the language used were inaccurate; and that it was desirable not to indicate too soon the line he meant to take, as it would give an advantage to his opponents, and might estrange some of his friends.

“Mr. Smith frequently expressed a hope that the Lieutenant-Governor did not entertain any doubt as to the sincerity of his intention in carrying out to the letter the understanding between them, as to the passage of resolutions on the subject of union.

“If the Lieutenant-Governor’s advisers cannot concur in the sentiments, and decline to become responsible for their utterance by His Excellency, it is no doubt their duty to tender, as they have done, the resignation of the offices held by them.

“His Excellency accepts those resignations with regret. His relations with his advisers during the past year have been harmonious and cordial—for many among their number he entertains strong feelings of personal esteem; nor can he forget to acknowledge the attention which his views have generally received at their hands, or the readiness with which his wishes have on most occasions been met by them. But he has no doubt as to the course which it is his duty to pursue in obedience to his Sovereign’s commands, and in the interests of the people of British America.

“That a leading member of the Opposition was more than once communicated with by His Excellency is perfectly true. This communication was made with Mr. Smith’s full knowledge, and in the belief on His Excellency’s part, that it would facilitate Mr. Smith’s accomplishment of the end in view. The gentleman in question met Mr. Smith at the Government House, on the 5th of March, and His Excellency believes that a very protracted interview subsequently took place between them; nor was it until a very late period that His Excellency relinquished the hope of seeing a combination effected to smooth the passage of the contemplated resolutions.”

MR. MITCHELL.

The whole of this correspondence was filled with statements of that kind; but it would take too long to read the whole of it, and he did not intend to take up the time of the House by doing so, though if hon. gentlemen wished him to read any more, he would do so. He did not desire, however, to read any more of this correspondence than was necessary. What he wanted to deduce from this correspondence was this: he had been informed, and he had read from a paper, that it had been stated by the hon. the Minister of Marine and Fisheries with relation to this gentleman, who was not here to defend himself, and a gentleman who had the confidence of our Sovereign, and who had administered the affairs of the Province over which he presided, in an honest and upright and sincere manner, that his conduct was brutal. If the hon. gentleman ever said that the conduct of His Excellency was brutal, he (Mr. Mitchell) could only say that this statement was untrue.

MR. SMITH: I made no such statement.

MR. MITCHELL: And this gentleman not only prior to, but since that time, has enjoyed the confidence of Her Majesty, and is now doing so.

MR. SMITH: I wish to make a statement. The language which I am reported in the Press to have used, I never employed at all. The word “brutal” certainly was never used in the whole of my remarks.

MR. MITCHELL said he had given the hon. gentleman an opportunity to contradict this at the outset, but the hon. gentleman had failed to do so. He would now read an account of the hon. gentleman’s speech, given him by a member of the House. This was as follows:—

“Mr. Smith said, in reply to Mr. Costigan, that he was not inconsistent in taking his present position. The two New Brunswick precedents justify Letellier’s position, inasmuch as they have been sustained by the popular vote and by the Imperial authorities. In 1855 passed a prohibitory liquor law, which proved inoperative. The Lieutenant-Governor called on the Government to repeal it. They refused. He asked them to dissolve. They advised dissolution and resigned. Another Government took the responsibility and were sustained by the people. In Governor

Gordon's case the Legislative Council passed an address in favour of Confederation. His Excellency's reply contained remarks favourable to Confederation, committing the Ministry thereby. Mr. Smith objected. The Governor said if they did not choose to take the responsibility, they must retire. They did not immediately retire, but did soon afterwards. The people sustained the Governor. The Governor acted falsely to his Ministry. He refused to take any advice. He consulted with the Opposition, and his conduct was marked by moral turpitude. The people sustained him, but (in reply to Mr. Plumb) I did not forgive him and would not speak to him."

Mr. SPEAKER said the reading of letters and from newspapers, was entirely out of order. An hon. member could not read any portion of a speech made during the same session, from a printed book or newspaper. This rule applied to all debates, whatever, though speeches delivered during former sessions might be read. It was also irregular to read extracts from letters, newspapers or other documents, referred to debates in the House. This was laid down by May.

Mr. MITCHELL: As this related to this debate, I thought that I was in order.

Mr. SMITH: The manuscript notes are, in substance, correct.

Mr. MITCHELL said that he did not desire to infringe on the rules of the House, or to do anything which was not strictly in accordance with them; but in this debate, he was under the impression that any reference or report made of a speech delivered during the same debate, could be used. If he was wrong in this impression he should like to be corrected.

Mr. SPEAKER: I have read what May states.

Mr. MITCHELL said that as the hon. gentleman admitted the correctness of the report given to him, as to what he had uttered in this very debate, and, as he had acknowledged that this report was in substance, correct, he would simply say this: When the hon. gentleman stated that the conduct of Governor Gordon was improper or unconstitutional, or that he was guilty of "moral turpitude," the hon. gentleman stated what was incorrect, and performed an act of injustice

to a gentleman, who, from that time to the present, had retained the confidence of Her Majesty, and who had been in the position of Governor ever since that period. When the hon. gentleman attempted to quote this precedent, as an authority, to sustain the action of Mr. Letellier de St. Just, did he forget that he, with some twenty-one others, signed a protest to Her Majesty, asking for the recall of Governor Gordon.

Mr. SMITH: I do not forget that.

Mr. MITCHELL: You recollect it?

Mr. SMITH: I do.

Mr. MITCHELL said, then his hon. friend signed a protest asking for the recall of Governor Gordon, on the ground that His Excellency had performed, what he (Mr. Smith) considered to be an unconstitutional act. This protest, he understood from the remarks which the hon. gentleman had made the other day, had not been complied with; and they were justified in concluding that Governor Gordon had behaved rightly, and that consequently Governor Gordon was right in placing that Ministry in such a position, that they had either to adopt the responsibility of certain views, and of certain acts, or resign.

Mr. SMITH: Will my hon. friend allow me for a moment. I did not say that Gordon acted rightly; I continue to repeat what I stated, and declare that he acted unconstitutionally.

Mr. MITCHELL said he did not say that the hon. gentleman had so stated. If the hon. gentleman contended that Governor Gordon was justified in what he did, and that, because of this, Mr. Letellier de St. Just was justified in dismissing his Ministers on the flimsy pretext on which he dismissed them, he (Mr. Mitchell) held that the hon. gentleman was quite logical. Governor Gordon was led to adopt the course which he was bound to pursue, from the fact that he was led to believe that they who had his confidence, and who were his Ministers, were prepared to adopt the policy forced upon him as the representative of Her Majesty, by the Government of England, namely—the policy of Confederation. These gentlemen led His

Excellency to believe that they would adopt this policy, or, at all events, His Excellency believed that they had done so; but they failed to carry it out, and they deserted him after placing him in a certain position. The Governor then felt that it was necessary to look around him for others to carry out that policy, and he found them. When he got into this difficulty, the Governor felt that it was a case in which he had been either misled intentionally, or that when these parties had placed him in that position, they found that they were unable to carry out this policy; and, in place of coming out manfully and acknowledging this, they tried to make it appear that the Governor had misunderstood what they had agreed to do, and that they had not agreed to carry out Confederation in this way or that way, or contemplated it. The Hon. Mr. Wilmot and himself accepted the responsibility; they both appealed to the people of the country. And what was the result? Within four weeks they went back with a majority of four to one. They were sustaining the principle which he believed the country would sustain—the principle of Confederation—whereby one grand nationality was created. What he intended to prove in relation to this matter was this: that Mr. Gordon's act was an act inspired by the Imperial necessity; it was an act inspired under the direction of Her Majesty's Ministers in England. It was far beyond and above a local or domestic quarrel; and therefore the Government had a responsibility as well as a duty to perform. In the case of Mr. Letellier, there was no such necessity—no such national policy, it was a domestic act; so that no parallel could be drawn between the cases of Mr. Letellier and Mr. Gordon. The hon. the Premier propounded what seemed to him to be a very startling doctrine, that because the people of the Province of Quebec, had the matter under their consideration, the Dominion Parliament had no right to deal with the question at present. But if the act of Lieutenant-Governor Letellier was sustained by the House, it would form a precedent upon which other Governors of Provinces might act. If that precedent

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was laid down Mr. Archibald, Governor of Nova Scotia, Mr. Tilley, Governor of New Brunswick, and Mr. Macdonald, Governor of Ontario might dismiss their Ministers. Any Governor could then suppress freedom of action in his Province, and the expression of opinion in relation to constitutional acts in the Provinces. Such a doctrine could not be held to be consistent, because it would have the effect of binding the English-speaking race by precedents established by a different nationality, and binding constituencies and Provinces with a precedent established by the arbitrary acts of a gentleman who chose to exercise the arbitrary power with which he happened for the time to be vested. He held that the Premier was entirely in error when he made the statement referred to, and took up a position which could not be sustained. He would now come to another branch of the subject. He found, on looking over the Confederation debates, that this very charge which had arisen was foretold by the two gentlemen who were the principal actors in it—Mr. Joly and Mr. Letellier. He found that Mr. Letellier made use of the following words in 1867 in the course of the Confederation debate:

“ It is also asked what kind of Local Government we shall have; but the Government will make no statement respecting it until Confederation is voted. What kind of a Constitution and what Governor we shall have? What Governor? Perhaps that is where the great secret lies, for I believe that for some time past the idea or the hope of being Governor has filled the head of more than one political man. What is to be the amount of the Governor's salary?”

Then Mr. Joly said:

“ We already possess under our present Constitution, and without Confederation, a central power stronger than any power you can create, and to which we submit without complaint, because it is perfectly compatible with the existence of our local powers—I mean the power of England. It is exercised by men who live too far from us to hearken to the bickerings of race or of party, or to be mixed up with them in any way. But if that central power was wielded by men taken from among ourselves, men who have taken part in our quarrels and animosities, and who would make use of it to give effect to the views of their party, it would become insupportable.”



That was a correct statement of what was now taking place. The Lieutenant-Governor seemed to have entertained a feeling of antagonism and hostility towards the party to whom he had been opposed for years. He did not say that Mr. Letellier had acted under the direction or approval of the Government of the Dominion of Canada, but it did seem as if the Dominion Government had done a great deal to facilitate the progress of Mr. Letellier's acts. He noticed in a paper today the following paragraph:

"Mr. Letellier had no confidence in his former advisers, yet, in acknowledging the reception of a box of cigars from one of his Ministers, he was on such happy terms as to add a postscript—'If you should want any blank authorizations telegraph me to Rivière Ouelle.' Imagine a Lieut.-Governor who gives as a reason for dismissing his Ministers the fact that they did not consult him—having thus stultified himself."

He did not know what truth there might be in this paragraph, but if it was true that that letter was sent to Mr. Chapleau by Mr. Letellier, he thought it was another evidence of a variety of reasons which the Government had given for the dismissal of the DeBoucherville Government. If it was true also, that they had got half a million dollars at 1 per cent. less than the DeBoucherville Government had obtained money, because the Dominion Government had placed funds at their disposal, it looked very much as if the Government were aiding Mr. Letellier for the purpose of driving his late Government out of power and getting possession of the Administration in the Province of Quebec for the purposes of the next Dominion election. He felt that at a crisis like this in the history of the country, when it might be said our constitution was still on its trial as to whether Canada could be governed correctly by her own people, and be trusted with the selection of her Governors, it behoved them to be careful as to how they should conduct themselves, and what countenance they should give to Mr. Letellier's acts. He was not going to occupy much further time, but he must certainly say that it seemed strange if the principle of Representative Government which the people

had striven and struggled for during the last fifty years, which, indeed, they had fought and bled for, should be wiped out in one day by a man who failed to recognise the first principles of responsibility. He would appeal to the memory of Cartier, Papineau, Fletcher, Lafontaine, and other great men, who had for years struggled in this cause, and ask hon. gentlemen on the other side if partisans were to be allowed to undo what these men had secured for us and our children. He would go further than the amendment which, he thought, was characterized by too much moderation, and say that the course which Mr. Letellier pursued was a most unconstitutional one. If his act was established as a precedent, the Governor of a Province would have more power than the Premier himself, and the effect of that would be that we would be deprived of those liberties which our fathers and forefathers had fought for. It had been contended that Mr. Letellier was not responsible to this Parliament, but he (Mr. Mitchell) held that he was the servant of the Parliament, being appointed on the recommendation of the Premier, by His Excellency the Earl Dufferin. Yet, the Government said, "Although we appointed him, he is not responsible to us for his conduct towards the constituency over which he rules; we will not arrest him and try him for the illegal act he has committed." What would his hon. friend the Premier, with the majority he had behind him, say if His Excellency Earl Dufferin was to meet him with the proposition, that he had not the confidence of the country, that because he lost \$2,000,000 in a steel rail purchase he ceased to have the confidence of the people, that because he spent \$2,000,000 in a useless Fort Francis Lock operation, or spent \$100,000 over the Kaminstiquia land job and other operations in the North-West, he had lost the confidence of the people? Or that he had lost their confidence by failing to carry out his promise in relation to the Pacific Railway? He appealed to the House whether, if there was any justification for Mr. Letellier dismissing his Ministry, there was not ten fold more justification for Earl Dufferin

to tell the hon. gentlemen opposite to take a back seat and make way for better men? He was convinced there was not a man on the Opposition side who would not resist any attempt to exercise such an act of arbitrary power. That he had this power nominally was correct; but that he had the right to use it was incorrect. A man might have the power to cover another man with his rifle, but he had no right to shoot him. A pilot had the power to run a ship on shore, but he had no right to do it. And so Mr. Letellier had no right to dismiss his Ministry, though he possessed the power. Although hon. gentlemen opposite referred so confidently to the 1st of May, he (Mr. Mitchell), was convinced that when the people were appealed to it would be found that they were not so dead to their liberties as to support a man who had acted in so arbitrary a manner. It was true that Mr. De Boucherville might not have possessed that urbanity of manner which was characteristic of hon. gentlemen on the other side, he might, in fact have been somewhat austere, but he was a man who was universally spoken of with respect, as being thoroughly honest and upright. Yet Mr. Letellier had removed him on the flimsiest and most unworthy pretext. These were his opinions upon the matter. He was sorry to have detained the House in giving utterance to them, but he had a duty to perform, not only to the people of Northumberland, but to the country, and he had taken this opportunity of doing it. He had made some remarks with reference to the hon. member for Chateauguy (Mr. Holton) who was not in his place at the time; so now that he had come in, he would repeat them. He mentioned the names of the hon. members for Chateauguy and South Bruce, as two gentlemen looked up to in this House as the highest authorities in constitutional law, upon whom this House depended for sound solid information as to what was right in the constitutional Administration of the country, and his surprise that they had not come forward to defend the liberties of the people. He had hoped that, on an occasion like this, the first occasion on which a strain had been put

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upon the Constitution since 1867, that they would not have been led by the Minister they followed so devotedly, but that the great mentor of the House, as well as the hon. member for South Bruce, would have let the people know what their opinions were upon the subject. The whole of the gentlemen opposite, in fact, had sat for forty-eight hours listening to arguments against the course taken by Mr. Letellier, and had never attempted to answer them. The hon. member for Montreal Centre (Mr. Devlin) did say something, but that was the only exception; he had not heard any other member of that side of the House attempt to justify the conduct of Mr. Letellier, and say it was either just or right for him to dismiss his Ministry in the way he had done. He yet hoped the hon. member for Chateauguy would give the House the benefit of his valuable opinion.

MR. YOUNG: Breach of arrangement.

MR. MITCHELL asked what arrangement should be allowed to tie a man's tongue when the rights of his fellow-citizens demanded his speaking. There was something higher and nobler than the mere temporary arrangements for party interest and party policy. While he would be as true a party man as could possibly be, yet where his party stood in the way of the liberties of the people in endangering their rights or imperilling the Constitution, he would sink party. A high-minded, honest man, always soared above party considerations on such occasions as these.

Question put, and amendment (Sir John A. Macdonald's) *negatived* on the following division:—

YEAS:  
Messieurs

Baby,	McDougall (Three Rivers),
Benoit,	McKay (Colchester),
Blanchet,	Macmillan,
Bourbeau,	McCallum,
Bowell,	McQuade,
Brooks,	Méthot,
Cameron,	Mitchell,
Campbell,	Monteith,
Caron,	Montplaisir,
Colby,	Orton,
Costigan,	Quimet,
Currier,	Palmer,
Cuthbert,	Pinsonneault,
Daoust,	Platt,
DeCosmos,	

Desjardins, Plumb,  
 Dewdney, Pope (Compton),  
 Domville, Pope (Queens, P.E.I.),  
 Donahue, Robinson,  
 Dugas, Robitaille,  
 Farrow, Rochester,  
 Flesher, Rouleau,  
 Fraser, Roy,  
 Gibbs (North Ontario), Ryan,  
 Gibbs (South Ontario), Schultz,  
 Gill, Short,  
 Haggart, Stephenson,  
 Harwood, Thompson (Cariboo),  
 Hurteau, Tupper,  
 Jones (Leeds), Wade,  
 Kirkpatrick, Wallace (South Nor-  
 folk),  
 Langevin, White (Hastings),  
 Lanthier, White (Renfrew),  
 Little, Wright (Ottawa),  
 Macdonald (Kingston), Wright (Pontiac).—70  
 McDonald (Cape  
 Breton)

NAYS :

Messieurs

Appleby, Horton,  
 Archibald, Huntington,  
 Béchard, Irving,  
 Bernier, Jetté,  
 Bertram, Jones (Halifax),  
 Biggar, Kerr,  
 Blackburn, Killam,  
 Blain, Kirk,  
 Borden, Laflamme,  
 Borron, Lajoie,  
 Bourassa, Landerkin,  
 Bowman, Laurier,  
 Boyer, Macdonald (Cornwall),  
 Brouse, Macdonald (Centre  
 Toronto),  
 Brown, MacDonnell (Inv'rn'ss),  
 Buell, Macdougall (Elgin),  
 Burk, McDougall (Renfrew),  
 Burpee (St. John), MacKay (Cape Breton),  
 Burpee (Sunbury), Mackenzie,  
 Carmichael, McCraney,  
 Cartwright, McGregor,  
 Casey, McIntyre,  
 Casgrain, McIsaac,  
 Charlton, McNab,  
 Cheval, Metcalfe,  
 Christie, Mills,  
 Church, Norris,  
 Cockburn, Oliver,  
 Coffin, Paterson,  
 Cook, Perry,  
 Coupal, Pettes,  
 Davies, Pickard,  
 Dawson, Pouliot,  
 Delorme, Power,  
 De St. Georges, Ray,  
 DeVeber, Richard,  
 Devlin, Robillard,  
 Dymond, Ross (East Durham),  
 Ferris, Ross (West Middlesex),  
 Fiset, Scatcherd  
 Fleming, Scriver,  
 Flynn, Shibley,  
 Forbes, Sinclair,  
 Fréchette, Skinner,  
 Galbraith, Smith (Peel),  
 Geoffrion, Smith (Westmoreland),  
 Gibson, Snider,  
 Gillies, St. Jean,  
 Gillmor, Taschereau,  
 Goudge, Thompson (Hal timand),  
 Greenway,

Guthrie, Trow,  
 Hagar, Wallace (Albert),  
 Hall, Wood,  
 Higinbotham, Yeo,  
 Holton, Young—112.

House accordingly resolved itself again into Committee of Supply.

(In the Committee.)

EMIGRATION AND QUARANTINE.

Salaries of Immigration Agents and Employés .....	\$26,550
Salaries of Travelling Agents .....	13,000
Medical Inspection of the Port of	
Quebec .....	2,600
Quarantine, Grosse Isle .....	11,820
do St John .....	3,000
do Pictou, N.S. ....	800
do Halifax, N.S. ....	3,600
do Charlottetown, P.E.I. ....	1,000
To meet expenses of further precau- tionary measures for the Public Health .....	20,000
Contingencies of Canadian and other regular Agencies .....	24,000
Travelling Expenses of Travelling Agents .....	14,000
	81,27,370

MR. CARTWRIGHT said there had been no change made in the agents since last year. They had one gentleman at Liverpool, one at Glasgow, one in the North of England, two in Ireland, one in London, and one in Paris. The salaries of these gentlemen were \$1,200 a year, with \$4 a day travelling expenses. The latter item was included under the head of travelling expenses of travelling agents,

MR. POPE (Compton) asked if many immigrants came to this country from France.

MR. CARTWRIGHT said he did not think there were many from that country.

MR. POPE said he objected to the item, and in doing so knew that he would be met with the statement that it stood in the same position as 1873-4. This was not so, however, for the Government of that day appointed these agents for short periods, not longer than eight months, and it was never intended to make them permanent officers. He would suggest, too, that this item should no longer stand a lump sum, without a single explanation. If these agents were made permanent officers, the House should receive reports from them as to the way work was being done.

MR. CARTWRIGHT said he saw no objection to this, and he would make a note of the suggestion, with the view, if he was concerned in the matter again, to have it remedied.

MR. WALLACE said that, in the present state of the country, immigrants were not wanted. He suggested that the whole item be struck out, for, under the circumstances, it was a useless expenditure of money.

MR. POPE (Queen's) said he thought there was a very large amount of money squandered under this head. Last year he had objected to the salary of an agent at Prince Edward Island, and the Finance Minister had promised that it should be struck out, but it again appeared in the Estimate; as, also, \$1,000 for quarantine, both of which were not of the slightest use.

MR. JONES (Leeds) said he believed that three-fourths of the emigrants who were assisted out here went to the United States. He did not see why so large a sum should be voted year after year, when the results were so very small.

MR. CARTWRIGHT said he might call the attention of the last speaker to the fact that according to the best information that the Department could get, not less than 27,076 emigrant settlers came to Canada in the year 1877-8. That was a statement made by the Department, which had the best opportunity of ascertaining the real facts of the case.

MR. DAVIES said an emigration agent was not required at Prince Edward Island, and he doubted whether any were required at Halifax, St. John, or New Brunswick. But he believed a quarantine officer ought to be retained on the Island. Where so many sailors frequented, it was absolutely necessary to have such an officer appointed.

MR. WHITE (East Hastings) said it was not necessary to retain the staff as at present. One gentleman at Quebec had \$1,500 per year, and another, an assistant, had \$1,000; one gentleman would be sufficient.

MR. CARTWRIGHT said that 27,076 settlers had come to Canada and made

MR. POPE.

it their home in 1877. The vote for Quarantine, which was for the protection of the Public Health, was a subject for discussion as to how far it was necessary.

MR. JONES (South Leeds) said the statistics of immigrants from the old country were inaccurate.

MR. POPE (Compton) called attention to the largeness of the expenditure under this head, compared with the smallness of the immigration, reaching only 15,323. He declared that the immigration was not due to the action of the agents, but to natural consequences. The agents of steamship companies possessed great influence as emigration agents.

MR. KIRKPATRICK said that people, not properly speaking immigrants, took advantage of the facilities for them to save their passage outwards, or a portion of it.

MR. CARTWRIGHT said the instructions to guard against such abuses were very strict. The member for Compton was wrong in his comparison, as \$80,000 of the nominal expenditure for immigration was chargeable to the Mennonite and Icelandic loans, which which were to be repaid. The instructions to the agents in the North of England, Ireland and Scotland were to confine their operations to the encouragement of farmers and farm labourers, and at present the Minister of Interior had many enquiries as to the advantages of Manitoba. The officials at Quebec and other points were useful as distributing agents for emigrants and could not well be dispensed with, but he would recommend some economies in this direction which offered the only opportunity of some retrenchment. He did not think any considerable reduction in the expense of the London office practicable.

MR. BOWELL said that Mr. Doré had conducted this office after the resignation of Mr. Jenkins as efficiently and as well as it was attended to either before or since; he gave all the information that was necessary, and was courteous and affable in his demeanor to every one who visited the establishment. And why this man, save for political purposes and to find a position for

some friend who required a situation at the time, was not appointed to this office, neither he (Mr. Bowell) nor any one else who had paid attention to this matter could see. He believed that what had been intimated by the right hon. member for Kingston last year, in this regard was then true, and had been proved to be true. A situation had to be found for a certain Nova Scotia politician, who was put in a place where he was not required at the expense of the country. This person's own report was the best evidence of this, though, it was very able in its way. He found no fault with Mr. Annand's talents and ability; he might be well fitted for the position if there was anything for him to do. He contended that there was nothing for Mr. Annand to do which Mr. Doré could not do, and did not do, before he went there. There was no necessity for filling up this place, except for the reason he had stated. Besides, 13 travelling agents were employed in Great Britain and Ireland, and at this office were employed eight or ten persons from Mr. Annand down to the door-keeper. A part of the instructions given to these agents who travelled at the expense of the Dominion, was to dissuade a certain class of immigrants from coming to this country. They and the Government must know that while the advantages held out to emigrants who desired to go to Australia or New Zealand were greater than those held out on the part of Canada, there would be very few emigrants who would come to this country unless they did so of their own accord, and with their own money. New Zealand offered a free passage, a free kit, and £2 for each adult; and anyone who had been around the Immigration offices in England, knew that, when the farm or other labourers, who had no means, but who desired to emigrate in order to better their position came to the Canadian office, they found that no assistance was given them, and, consequently, they proceeded to the Australian and New Zealand offices, where the advantages mentioned were held out. This was what Canada had to compete with. Mr. Annand pointed out this fact very forcibly in his re-

port. While this continued, and while the depression lasted, what necessity was there for keeping 13 agents travelling through England, Scotland and Ireland and foreign parts, to induce emigrants to come to this country. He thought that this matter ought to receive the very serious consideration of the Government and of the House.

MR. MACKENZIE: No doubt.

MR. BOWELL said he found that Mr. Annand also proved himself very useful to his Province and country, with which he found no fault. Mr. Annand stated that Nova Scotia and New Brunswick, since his appointment, had dispensed with their agencies in London, and that he had performed these duties; but he (Mr. Bowell) did not understand that those Provinces contributed towards the payment of this officer's salary and the expenses of the office in proportion to the labour done by Mr. Annand for them.

MR. CARTWRIGHT: They do not contribute as much as the Dominion, but they contribute.

MR. BOWELL said that, with reference to the Mennonite immigration, he had understood very lately that some 100 families desired to come to this country or to Manitoba, and that they had asked from the Government an advance of \$15,000.

MR. POPE (Compton): Of \$20,000.

MR. TROW: \$15,000 is right.

MR. BOWELL said he should conclude that this would represent 500 souls, as there would be very likely five persons to each family; but the Government, owing to the depressed state of the country's finances, had not felt justified in doing so. He further understood that ample security was offered for repayment of such sum. He thought it would be well if this Immigration Fund was distributed in this way; and this system would bring into the country a class which, he was informed, made the best settlers that had as yet gone to the North-West; and this amount for these numerous agents, who were utterly useless, could be reduced.

MR. CARTWRIGHT: They are by no means utterly useless. They are of very considerable benefit.

MR. BOWELL said that the reports showed they were utterly useless at the present time. They were instructed to dissuade the classes with a little means likely to come to this country from doing so, while those without means accepted the superior advantages offered elsewhere. Those with some means would not come here owing to the reports concerning the depressed state of the finances and business. Hence the withdrawal of two-thirds of the large proportion of the agents now travelling through that country, would be not only a saving, but also an advantage, for a number of years to come. Mr. Dyke, the agent at Liverpool, was, however, a most invaluable officer, who had done more to assist in bringing the question of live stock and Canadian meats before the English people, than all the other agents put together. If these officers were kept in the principal shipping ports here, their services could be utilized in the same manner, there would be ample reward and return for this expenditure; but this lecturing through the country was an utter waste of money. The landlords and tenant farmers were opposed to the movement, and he was told that some lecturers had adopted the mode of announcing a temperance lecture, and then dragging in the question of immigration.

SIR JOHN A. MACDONALD: That is throwing cold water on immigration.

MR. BOWELL said he hoped that the sooner this item of \$120,000 for keeping up a staff, as Mr. Annand states, to dissuade a certain class from coming to this country, and to induce others to come who would not do so, as Mr. Kingsmill said very properly, on account of the depression, was cut down one half, the better it would be for the country's finances.

MR. POPE: Will you tell me under what authority or clause of the Dominion Lands Act that item of \$47,700 is given?

MR. CARTWRIGHT: It is secured, not given.

MR. BOWELL.

MR. POPE: Well, under what clause is it secured or given? I do not find that authority is given by the Dominion Land's Act. It was alleged with respect to quarantine, that there had been a large expense for small pox. Well, he remembered that in 1872 there was a large expenditure in Nova Scotia and the lower Provinces for cholera, so there had always been an item of \$20,000 since then which might or might not be used for these purposes. He was quite willing to admit that the expense per capita for emigrants might have increased during the last three or four years, but he must complain that the expense had increased in a much larger ratio than it ought. He did not say that an emigrant was not worth the money paid, but he would say that emigrants could be got for less money.

MR. CARTWRIGHT said that in 1873, 52,000 emigrants were brought into this country at a total expenditure of \$304,000 or a net cost of \$296,617, being \$5.90 per capita. In 1877, 27,082 emigrants were brought over at a net expenditure of \$11,670, being at the rate of \$4.08 per head, against \$5.90 in 1873. It was principally for the purpose of inducing employers of labour in this country to put themselves into communication with emigrants on the other side, and to advance money to bring those emigrants out, instead of Government having to pay the whole cost.

MR. CURRIER said he thought that taking into consideration the large number of men in this country out of employment, it became very questionable whether we should spend money for emigration purposes. He did not say that the agents were to be withdrawn from the old country, but their number might be reduced. He also thought it should be pressed upon the notice of emigration agents that farm labourers were the only class required. If they could reduce this vote in the manner he had suggested the surplus might be used to assist men from Montreal, Ottawa and other cities in this country who were starving from want of employment, to the North-West.

MR. POPE (Queens) said he should like to ask why Mr. Doré, the London agent, had had to give way for Mr. Annand, from Nova Scotia. Mr. Doré was a capital man for the position, and had attended well to its duties. He understood that the only reason why Mr. Annand should be put over the head of so excellent an officer as Mr. Doré was, that he had rendered certain political services which the Government felt bound to reward.

MR. BLANCHET said he thought the emigration staff at Quebec was much too large and should be reduced.

MR. TROW said these officers were really needed, they were very useful; and the Government was penurious if anything with regard to the remuneration of their services. He was confident that the number of agents in Great Britain and Ireland was not too many. An efficient staff was necessary to obtain immigrants; and agents must be placed in the immigration market, where great competition was experienced. Even Australia paid £10 a head for passage besides providing an outfit worth £2 or £3. If immigrants could be secured at £4 and £5 a head, it was a good investment and the very best investment that the Government could make. He thought that the Government had committed an oversight in not acceding the request of the Mennonites mentioned, particularly as ample security was offered. Better settlers never came to this country. He had visited their settlements, and they promised to become a very prosperous people. The agents in Ottawa, Toronto and Hamilton, were busily employed, within a radius of ten miles from Ottawa, in sending people to the North-West; probably 400 people had emigrated during the past two weeks. The staff in London was not too large, and useful information of all kinds was furnished at the London office, which was centrally situated. Any one who had visited it, would come to the conclusion that no extravagance whatever was committed there.

MR. BOWELL said they had not received an answer or information respecting the position held by Mr. Doré. His name did not appear among the

names of the staff at the London Agency. The hon. the Premier had stated that he was appointed a temporary clerk to fill up the vacancy made by the resignation of Mr. Jenkins. What position did Mr. Doré occupy and where was his salary charged? It was not under the head of Civil Government.

MR. CARTWRIGHT: He was then acting chief. He was taking charge of the London office, and his salary was in the London pay list down to January 30th, 1877.

MR. BOWELL: When was Mr. Annand appointed?

MR. CARTWRIGHT: He was appointed sometime in May, but he arrived there, I think, in July.

MR. BOWELL: He says in his report that he arrived in London on the 8th of June.

MR. CARTWRIGHT: I thought it was later.

MR. POPE (Queen's): What salary does Mr. Dore receive.

MR. CARTWRIGHT: Either \$2,000 or \$2,400 when in England.

MR. MACKENZIE: His salary here is \$2,000.

MR. MITCHELL: What is Mr. Annand's salary?

MR. CARTWRIGHT: \$4,000.

MR. MITCHELL: What are his expenses?

MR. CARTWRIGHT: He has no expenses allowed. He is not required to travel. His proper quarters are in London.

MR. LANGEVIN said he thought that this item should be reduced, owing to the hardness of times, the want of money, and the paucity of present immigration. The last two or three items concerning agencies and travelling expenses of agents, were susceptible of large reduction. They could be diminished certainly one-half, and still provide for a sufficient staff, in view of the present reduced immigration. The statement concerning immigrant passengers and settlers who had come to this country, from 1857 to 1877, via. the St. Lawrence, set forth the following figures: 1869, 43,000,

and for the succeeding years, 44,000, 37,000, 34,000, 31,000, 23,000, 10,000, 10,000, and for the last year 7,000. In 1877, the smallest number that ever had come by this route during the past 23 or 21 years, had so arrived. Nevertheless, the expenditure of this Department was kept at the same figure that it was ten years ago, when there was a large immigration. The Public Accounts did not give all the details of the expenditure under this head. He would call special attention to the report of Paul DeCazcs, the special agent in France, who stated :

"Nothing has occurred in regard to French emigration to Canada deserving of notice since the date of the last report which I had the honour to address to your Department in December, 1876. The operations of the Steamship Agents have been suspended, in consequence of the stoppage of the special bonus by your Government, on account of the crisis from which Canada was suffering ; matters have remained in the same condition as they were then. I have, therefore, as I did last year, restricted myself in drawing attention to our country, to publishing a series of articles on Canada in a leading Parisian journal ; several of these articles have been copied, in whole or in part, by some of the most widely circulated publications in Paris and the Provinces. I have, besides, been always ready to supply all persons applying to me for information. I am of opinion, in view of the dullness of business and of the general uneasiness now complained of in France, in case of the definitive cessation of the crisis in Canada, that next spring a fresh impulse might be given to French emigration to Canada."

That agent might be a most deserving gentleman ; but, if he had nothing to do, he might be more useful in Canada.

MR. MACKENZIE said in the meantime he could be utilized at the Paris Exhibition.

MR. BUNSTER said it would prove highly advantageous if the agent at British Columbia was removed to San Francisco. Runners went on board ships at the latter port and endeavoured to dissuade emigrants from going to British Columbia.

MR. BLANCHET wished to know whether there was any necessity for continuing the quarantine for cattle at Lévis.

MR. LANGEVIN.

MR. MACKENZIE said that was first undertaken when there was great fear of diseased cattle being imported from England. At the present time there was no reason to believe that cattle disease existed in England, and the quarantine had been practically abolished.

MR. MITCHELL said he found there had been a charge made for some policemen, and he wished to know what they were required for.

MR. CARTWRIGHT said he believed they were employed at Grosse Isle quarantine station.

MR. POPE (Compton) said the work was done under the old Government a great deal cheaper and the results were much better in proportion, the agents being paid so much per head of the emigrants sent out. He thought it was a bad system to make these agents permanent officers ; in time, too, they would be expecting superannuation. Under the late Administration these agents were appointed only for a short time, about eight months—

MR. MACKENZIE : Some of them two months. It depended upon how long they wished to make their excursion.

MR. POPE said that if these agents were to be made permanent officers the House should be supplied with details as to their work.

MR. MACKENZIE : When the hon. gentleman was in office he asked for a vote of \$150,000, and gave no particulars. He appealed to us publicly and privately to allow it to pass, and it would be all right.

MR. POPE said the explanation of this was that he had succeeded in entering into a private arrangement with a steamship company which was bound, under an agreement, with the United States, and it was expressly stipulated that the arrangement with the Canadian Government should not be divulged. He explained to the hon. gentleman, therefore, that he could not explain this to the whole House, and asked him to allow it to pass. But this \$150,000 was for 40,000 or 50,000 emigrants, while the hon. gentleman wanted that sum for 10,000 or 15,000 emigrants.



MR. MACKENZIE: That was only one item in the hon. gentleman's estimate. There were other items.

MR. POPE: I can tell the hon. gentleman that there is not a single item in the estimate for 1873-4 larger than in the present item with the exception of the \$150,000.

MR. MACKENZIE: I will read from the Public Accounts. There is one item of \$150,000 towards immigration and immigration expenses, another of \$70,000, the same item \$20,000, another of \$14,000 and a second at \$14,000: and the entire sum is \$327,000.

MR. POPE said the items were pretty much the same as now, with exception of the \$150,000. In the present estimate there was one item of \$14,000, then one of \$24,000, one of \$20,000, and one of \$26,000. The item of \$70,000 in the 1873-4 estimate he explained the other evening. That was the result of a conference which met before his time, and decided that each Province should have a certain sum to assist emigration objects. \$20,000 was allowed to Ontario, \$20,000 to Quebec, \$10,000 each to Nova Scotia and New Brunswick, and \$5,000 to British Columbia. The other items were exactly the same.

MR. JONES (South Leeds) suggested that it would be well to spend even a quarter of a million or more in removing to Manitoba those who could not find work in this Province.

MR. MACKENZIE said that a million dollars would go but a little way for such a purpose, as if they undertook to remove men from here to Manitoba they would be inaugurating a system of assisting men to go from any one part of the Dominion to the other. If men could not find work in Ontario they could not find it in Manitoba, and as there were free grant lands in all the Provinces, it would hardly be wise to commence moving round our people from one part of the country to the other.

MR. CAMPBELL said he considered this vote thrown away. It was an immense expenditure to support idle men for no purpose whatever. Manitoba should not be peopled to the pre-

judice of the older Provinces. When the Government did not provide employment for our own people, they ought not to bring out to this country immigrants who, in great part, were obliged to go to the United States to obtain employment. The Mennonites, a people who would not fight the battles of the country, should not be encouraged to come here; and if brought, they should not be placed on the border, in the post of honor. The whole system was wrong. The Government would not encourage our own industries; they would do nothing for our people who were starving. These immigrants were deceived. It was no wonder that the Government was falling into contempt, even with the most illiterate in the country. The people saw these facts. The country was tired of the Government which was composed of tyrants, and contemptible men. One of his constituents, who had held an office under this beautiful Reform Administration, had recently resigned it.

*Vote agreed to.*

α. Immigration expenses, including transport and Mennonites.....\$110,000

MR. SCHULTZ said he believed it was proper to bring these Mennonites to Manitoba, and he had supported that vote from the first; but while the Government expended so much money to bring foreigners to the North-West, it did not appear that any assistance was given to the unemployed in Canada, who were suffering great hardships in our cities, to transport them to that country.

MR. CARTWRIGHT said that would have to be put in a separate vote.

MR. SCHULTZ said he could not understand why a small portion of the \$110,000 could not be devoted to that purpose.

MR. MACKENZIE said that it would take about a quarter of a million dollars to do that.

MR. JONES said, though it would involve an expenditure of \$500,000, it would be better to assist people at home than to bring foreigners to the country.

MR. SCHULTZ said that one-half of the public works of the west being carried out by Government, it would be well to assist some of the workingmen starving in our cities to Manitoba, and to find them employment. Here they had said to the Monnonites: "If you will come to the country of the North-West, the choicest portions of that land shall be taken from Canada and set apart for you; if you want money to induce you to come, we will lend you money." Yet, while the Government was willing to do all this for the people of some other nation, for their own countrymen, out of employment in their own cities, they refused to give any assistance whatever.

Vote agreed to.

X.—PENSIONS.

62	Samuel Waller, late Clerk, House of Assembly.....	\$400 00	
	John Bright, Messenger, House of Assembly.....	80 00	
	Mrs. Antrobus.....	800 00	
			\$1,280 00

New Militia Pensions.

	Mrs. Caroline McEachren and four children.....	\$238 00	
	Rhoda Smith.....	110 00	
	Janet Anderson.....	110 00	
	Margaret Mackenzie.....	80 00	
	Mary Ann Richey and one child.....	288 00	
	Mary Morrison.....	80 00	
	Louise Prud'homme and two children.....	110 00	
	Virginie Charron and four children.....	150 00	
	Paul M. Robins.....	146 00	
	Charles T. Bell.....	73 00	
	Alex. Oliphant.....	109 50	
	Charles Lugsden.....	91 25	
	Thomas Charters.....	91 25	
	Charles T. Robertson.....	110 00	
	Percy G. Pouth.....	400 00	
	Richard S. King.....	400 00	
	George A. Mackenzie.....	73 00	
	Edward Hilder.....	146 00	
63	Fergus Scholfield.....	73 00	
	John Bradley.....	109 50	
	James Bryan.....	109 50	
	Jacob Stubbs.....	73 00	
	Ensign W. Fahey.....	200 00	
	Mary Conners.....	110 00	
	Mary Hodgins and three children.....	191 00	
	John Martin.....	110 00	
	A. W. Stephenson.....	110 00	
	Mrs. J. Thorburn.....	150 00	
	Mrs. P. T. Worthington and children.....	378 00	
	Mrs J. H. Elliott and children.....	130 00	
	Elien Kirkpatrick and three children.....	266 00	
	Mrs. George Prentice and children.....	406 00	
	Mary Hannah Temple and child.....	298 00	

Mr. JONES.

- 64. To meet the amount required for Pensions to Veterans of War of 1812..... 35,000 00
- 65. Compensation to Pensioners in lieu of land..... 7,000 00

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Five minutes past  
Three o'clock.

HOUSE OF COMMONS.

Tuesday, 16th April, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

CONTROVERTED ELECTION.

MR. SPEAKER informed the House that he had received a certified copy of the judgment and decision of the Supreme Court of Canada, in the matter of James Somerville *et al* (petitioner), appellants, and the Hon. Rudolphe Laflamme (defendant), respondent.

ADULTERATION OF FOOD BILL.

(Mr. Archibald.)

FIRST READING.

MR. ARCHIBALD introduced a Bill (No. 76) to amend cap. 8, 37 Victoria, entitled an Act to impose license duties on the compounding of spirits, and to amend the Act entitled: an Act respecting inland revenue, to prevent the adulteration of food, drink and drugs. He said that in examining the Act of 1874, relating to the adulteration of food, he found that while it provided for those cases in which articles of food had been adulterated, it did not provide for those in which substitutes were sold as such articles of food. This difficulty existed in England regarding the Act of 1872, upon which the one Act of 1874, he believed, was chiefly based; and in 1875 the Imperial Parliament repealed all former Acts concerning the adulteration of food, and enacted a law relating to the sale of food and drugs. One of its clauses met the case he had mentioned, and

this Bill simply imported into the Act of 1874, and made part of the 23rd section this clause of the English Act. It was, doubtless, within the knowledge of the House that on this continent of late years, an article which was sold as a substitute for butter had been manufactured to a greater or less extent. It was known as oleo margarine or butterine, and he was informed that when properly made, it required almost an expert to detect the difference in appearance, at all events, between the genuine article and the substitute. This article had not been manufactured to any large extent in Canada as yet, although the manufacture of it had grown to some considerable proportions in the United States; but its manufacture was growing in Canada, and it seemed to him that some steps should be taken to prevent the imposition of this article upon purchasers as genuine butter. This substitute in itself, he believed, was not deleterious, but it was no less a fraud upon the pockets of the consumers, inasmuch as this was a cheaper article than butter, and made from beef suet. The great dairy State of New York had found the evil so great that it was necessary to take some steps to guard and protect not only the consumers, but also the producers of butter. Accordingly, last Session the Legislature of the State passed an Act which compelled the manufacturers of this article to brand their packages distinctly with the words "Oleo Margarine." He had introduced the clause making this provision from the New York law into this Bill, and he thought that the House would agree with him that no injustice would thus be done to the manufacturer of the substitute, as it took away from him the opportunity, as far as might be, of palming it off on the public for an article which it was not.

Bill read the first time.

#### BILLS ASSENTED TO.

A Message was received from His Excellency the Governor-General, desiring the immediate attendance of the House in the Senate Chamber.

Accordingly, Mr. Speaker with the House, went to the Senate Chamber; —and being returned;

MR. SPEAKER reported, that the House had, in accordance with a Message from His Excellency the Governor-General, attended His Excellency in the Senate Chamber, and that His Excellency had been pleased to give, in Her Majesty's name, the Royal Assent to the following Bills, viz:—

An Act to reduce the capital stock of the Merchants' Bank of Canada.

An Act to incorporate the Société de construction Mutuelle under the name of the Société de prêts et placements de Québec, and for other purposes.

An Act to revive and amend the Act incorporating the Montreal and Champlain Junction Railway.

An Act to extend to the Province of Prince Edward Island the Railway Act, 1868, and certain Acts amending the same.

An Act to amend and consolidate, as amended, the several Acts relating to the Quebec Fire Assurance Company.

An Act respecting the Bank of Liverpool.

An Act to incorporate the Ontario Mutual Life Assurance Company.

An Act to authorize and confirm the scheme of arrangement of the Canada Southern Railway Company.

An Act to authorize the National Insurance Company to reduce its Capital Stock, and for other purposes.

An Act respecting the Northern Railway Company of Canada.

An Act respecting the Grand Trunk Railway Company of Canada.

An Act to amend the Post Office Act, 1875.

An Act to amend the Act incorporating the Sydenham Harbour Company.

An Act respecting the Maritime Court of Ontario.

An Act to incorporate the Regular Baptist Foreign Missionary Society of Ontario and Quebec.

An Act respecting the Montreal and City of Ottawa Junction Railway Company.

#### MALT DUTY BILL.

(Mr. Laurier.)

#### THIRD READING.

Order for third reading read.

MR. GIBBS (South Ontario) said that before the motion for the third reading was passed, he desired to make an observation or two on the Bill, concerning which he made some observa-

tions when it was before the House on one of the former stages. He conceived that the system under which the revenue was proposed to be collected under this Act, was erroneous and one that might be better attained if another principle were adopted. If the principle adopted in the United States were put into force here, in place of following out the English system in accordance with this Bill, it would be far better for all parties concerned, and better in the interests of the Government and revenue of the country; and he thought that it would also be much more advantageous to all those engaged in the trade which was affected by this Bill. He conceived that in the interests of temperance, which it was the duty of Parliament to encourage and foster as far as possible, it would be better if the revenue were collected in another and entirely different way from that proposed under this Bill. The system adopted on the other side of the line, concerning which he had not very long ago made some enquiries, gave very general satisfaction; and under it the duties were easily collected, while its operations were not so vexatious and annoying to the parties engaged in the trade as the mode for which this Bill provided. There the duty imposed amounted to the sum of \$1 a barrel on the beer which was consumed, and it was not collected until it was sent out of the country for consumption. A stamp was placed on the barrel which could not be used until the stamp was effaced, and therefore, the duty was collected as easily as the stamp duties were by the process in vogue for the collection of this portion of the revenue. He considered that if the American system was enforced here, it would be found to be much better adopted to the wants of the country, while it would enable the revenue to be collected more readily than was the case at present. Although he did not intend to ask for a discussion on this Bill, he thought that the subject was one which might fairly attract the attention of the Government, and if a little information on the subject was obtained, which could be readily done, he felt that the system in vogue here would be abandoned at the earliest

opportunity. The duties which were imposed under this Bill were enormous, and he could not see why the duties here should be any higher than they were on the other side of the line. According to this Bill a duty of 2c. a pound or 72c. a bushel was levied, which imposed a tax on every barrel of beer consumed in the country, amounting to nearly \$2 a barrel, as between 2½ or 3 bushels of malt were used to each barrel of beer; whereas the duty imposed on the other side was only \$1 a barrel. He had previously made a general statement to the effect that for the first time the maltsters of this country were now enabled to manufacture and export. He was met by a statement from the hon. member for North Wellington, who quoted from the trade reports to show that during the past several years a quantity of malt varying from 150,000 to 300,000 bushels per annum had been manufactured in this country and exported; and this was received as evidence that a very large business was done by Canadian maltsters. This was a statement to which he confessed—although he was aware of the fact at the time—he did not suppose so much importance would have been attached, as appeared to have been the case with the hon. gentleman who made it. If it was supposed that the quantity named by the hon. gentleman, taking the largest quantity, 300,000 bushels, into consideration, was very considerable, he would only say that he made the statement advisedly when he said that the whole of the export of malt manufactured in Canada by Dominion maltsters, and exported, did not exceed, and, in fact, was not equal to the amount of malt manufactured by one of the large malt-making houses in the cities of New York, Newark and Philadelphia, or in the other large cities of the American Union. The whole quantity of the malt manufactured in this country and exported, in proportion to the amount of barley raised in this country, was little more than 2½ or 3 per cent. at the most, and in any one year, it had not exceeded 4 per cent. Under the duties levied in the United States, he believed and hoped that the

malsters of this country would be enabled to export four or five times more than they were able to do during any of the years past; and he begged to congratulate the hon. gentlemen on the fact that they had made the admission that the legislation of Canada might so affect the legislation of the United States, as to induce the latter country to modify or revise their tariff. He trusted that this admission would lead to further changes in the tariff, and that the effect it would produce upon the legislation of the United States might be all that hon. gentlemen opposite expected to accomplish from this change, and which the people of this country hoped to accomplish by a tariff which we should like to see adopted here, believing that it would lead to the modification of the tariff on the other side, in the direction which the people of Canada generally desired.

MR. ROCHESTER said his hon. friend from South Ontario was not correct in stating that the law here was the same as in England, because the duty in England, if his memory served him right, was 62c. on the bushel of 50 lbs. Another difference was this: that the English maltster's account ran for three months, and at the expiration of that time he got a note for three months more. Now, in the Dominion of Canada, as soon as the malt was taken off the kiln and put in the dry malt-house, the law demanded that that malt should be paid for to the Inland Revenue Department before a pound of it could be used by the brewer. The English maltster, on the other hand, could brew his malt and sell his beer before he was called upon to pay tax on malt. Then in the United States there was a duty on beer but none on malt. When, therefore, an American brewer converted his malt into beer, he might keep it for twelve months or for twelve years, as the case might be, without paying any duty; all he did was to put a stamp on the barrel when he sold it. He knew many brewers in Canada who were forced to shut up their establishments because they were compelled to pay a duty on malt before they sold their beer. He thought, therefore, when the Govern-

ment took the matter into their hands that they would have made some modification in the existing law. In Scotland, Ireland, Germany, or the United States, brewers were not so burdened as in Canada, and he thought it was not right that our brewers should be treated as they were. He did not know that he thoroughly understood the proposed change, but he believed it was intended that the duty should be altered from 2½c. to 2c. per lb., and that the Inland Revenue Department be charged with the collection of the tax, instead of the Customs Department.

MR. LAURIER said he conceived that the arguments made use of by the hon. gentlemen who had just spoken, did not apply so much to this particular Bill as to the general system. Upon a question of this sort, as upon many others, it was, he thought, quite impossible to satisfy everybody. The hon. gentlemen who had spoken had taken up separate grounds; and he might state that the brewers of this country were not agreed as to the manner in which this duty should be collected, some desiring that a tax should be placed on malt, while others wished a duty to be levied on beer. By the English system a duty was collected on malt, while in the United States it was levied on beer. During the short time he had been in the Department he had received strong representations against a duty on malt, but he was bound to say that equally strong representations were made against removing the duty from malt to beer. Several brewers stated that it would be for the best interests of the country if the American system was adopted, while others expressed the decided conviction that its adoption would lead to enormous losses. When, therefore, brewers themselves were not agreed as to the best course to be pursued, hon. gentlemen must admit that without further knowledge the Department could not do otherwise than they were doing.

MR. MITCHELL said the argument put forward by the hon. member representing the Inland Revenue Department was a very weak one, because it was the undoubted duty of the Govern-

ment to find out what would be best for the interests of the country. What might be good for the large brewers might not be beneficial for the small brewers, and *vice versa*, but the Government should be able to regulate for the advantage of the country at large. That the policy of the Administration of Canada—he did not refer exclusively to the present Government—was a wrong one, was shown by the fact that out of seventy-seven distillers who formerly carried on business there were now only six.

Mr. YOUNG said the question which had been mooted as to whether the excise duty should be levied on beer or on malt was one of very considerable importance. A few years ago the practice was to collect the duty from the beer, and the result was that very strong objections were urged against it; just as many complaints were made regarding it as there were with reference to the present system. He would not refer to the objection which had been raised by the Minister of Inland Revenue, that the adoption of the American system would probably lead to the revenue being defrauded to a very considerable extent, but he would point out that under that system many brewers would have to pay more than their fair share of duty. He believed he was correct in stating that the quantity of malt used in making beer was from two to four pounds to the gallon, the average quantity, probably, being three pounds. Taking that average, the amount of duty at the present time on a barrel of beer of 32 gallons was \$1.98. Now, in the county of Waterloo a most excellent article of beer, called lager, was made, which contained a very small quantity of alcohol, and which, he believed, could be made with about two pounds of malt to the gallon. If, then, the proposed tax on beer was carried out, the brewers in Waterloo would have to pay \$1.98 per barrel as duty on beer, instead of \$1.28 as they paid under the present system on malt. A description of beer like lager, which contained only a small percentage of alcohol, was preferable and should be encouraged more than a liquor which contained

Mr. MITCHELL.

more alcohol. However, while he admitted that this was a question well worthy of the consideration of the Department, he did not wish to pronounce any dogmatic opinion upon it, but it was a fact that the objections raised against the present system were just as strongly urged against the other when it was in existence. He desired to further state: that, if people would drink—and it was a fact that many did—he thought it better that they should drink beer than whiskey and other strong spirits, which had a very pernicious effect; and, as he recognized the necessity to obtain revenue from this quarter, he thought it would be better to impose more duty on whiskey and less on beer.

SIR JOHN A. MACDONALD: And yet the hon. gentleman voted with the Government when we proposed that the tax should rather be raised on whiskey than on malt.

Mr. YOUNG: The revenue required it.

SIR JOHN A. MACDONALD: Now, however, when a general election is coming on, and because there are a number of Germans in Waterloo who like lager beer, he proposes a reduction in the duty on beer.

Bill read the third time and passed.

MERCHANT SHIPPING ACT 1876 AMENDMENT BILL.—[BILL No. 63.]

(Mr. Smith, Westmoreland.)

THIRD READING.

Bill read the third time and passed.

DECK LOADS ACT AMENDMENT BILL.  
[BILL No. 62.]

(Mr. Smith, Westmoreland.)

THIRD READING.

Bill read the third time and passed.

WINDING UP INSOLVENT INSURANCE COMPANIES BILL.—[BILL No. 65.]

(Mr. Cartwright.)

THIRD READING.

Order for third reading read.

Mr. CARTWRIGHT said that, in accordance with the understanding

arrived at, he proposed to amend this Bill by making provision for the recovery of a proportional part of the premiums paid on policies in cases where parties reinsured after the issue of a writ of attachment, or the making of an assignment, as suggested by his hon. friend from Frontenac. His hon. friend from South Bruce, to whom, as the House knew, they were indebted for the Bill, had been kind enough to prepare for him an amendment, which he would submit when they went into Committee. He moved:—

“That the said order be discharged, and the Bill re-committed to a Committee of the Whole, with an instruction that they have power to amend Section 12, by inserting the following words after the word ‘accrues’:— ‘or in case (whether or not any such loss accrues) they have, after the issue of the Writ of Attachment, or the making of the assignment re-insured without the consent of one of the Company, then’”—

Motion agreed to.

(In the Committee.)

MR. WHITE (North Renfrew) said, whilst he was quite willing to admit that the claim for insurance should not take effect unless reinsurance was effected after the issue of a writ of attachment, yet he thought the claim for insurance ought to commence from the time that the reinsurance was effected. It did not seem to him that there was any good reason why six months' premium should be lost on a policy. It might seem a small matter in some cases, but in the case of steam mills in which the premium to be paid amounted to 7 per cent., the loss of six months' premium would be very serious indeed to the owner. He ventured to suggest that the claim for insurance should take effect from the time reinsurance was effected.

MR. BLAKE said the result would be that everybody would reinsure at once. Unless these policy holders who did not reinsure were allowed to claim for the whole time of the issue of the writ of attachment, it would destroy what the Banking and Commerce Committee had decided was a fair compromise between the respective interests of the policy holders and the company. It was probable that the policy holders gained

an advantage to a certain extent, as the contract was altered rather in their interest, although not unfairly altered, by what was being done; and, under these circumstances, he did not see how it was possible to adopt the suggestion of his hon. friend from North Renfrew.

MR. ROCHESTER said that if the amendment of the hon. member for Renfrew was carried, it would place companies in a false position. The policy holders were very well protected as it was; the companies had got a certain amount of subscribed stock, and the Finance Minister, after the official investigation, might order a call to be made.

MR. WHITE said he should feel himself called upon to move the amendment he had spoken of upon the third reading.

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

SIR JOHN A. MACDONALD asked that the third reading might be taken at a subsequent period. The hon. member for North Renfrew would require time to prepare his amendment.

MR. CARTWRIGHT said he had no objection to complying with such a request.

MR. OUMET said that after the passing of the Bill insolvent insurance companies would be wound up according to the insolvency law. By this law three inspectors were appointed to control the winding up of the liquidation of the estate of the insolvent. These three inspectors—or sometimes there might only be one—were appointed by the creditors to watch over their interest in the debtors' estate. When a party became insolvent he had scarcely any interest in the winding up of his concern, except inasmuch as he was desirous that it should produce 50 cents in the dollar, so that he might have his discharge. The case of an insurance or joint stock company whose subscribed stock was not all paid was different; such a company might be solvent, but the shareholders seeing they could not carry on their business properly might desire to

liquidate. He would like to see some provision made so that the shareholders might be enabled to have a certain control in the liquidation of the company. He would suggest that this might be done in a very simple way, without altering the Bill as it now stood, by one of the three inspectors of the estate being appointed by the shareholders and two by the creditors. This might be inserted as an additional clause and would be for the benefit of the shareholders.

MR. BLAKE said that in the Insolvency Law, which the wisdom of Parliament had devised, there was no provision for the interests peculiar to the shareholders of the company, but the shareholders or the company itself would be heard before the Judge as a party interested. He believed the interests and feelings of the shareholders would be to postpone the calls as long as possible, while on the other hand the creditors would require that the estate should be wound up at once. By making this arrangement with regard to the inspectors they would have two against one; they would have a house divided against itself. He did not believe there was the least practical danger of any Judge or Assignee authorizing a call unless it was necessary, and it would be inconvenient to introduce legislation specially to be applied to the insolvency of insurance companies. He thought it would be better for his hon. friend to leave the matter until next year, when a proper wind-up Act would come under consideration.

#### NORTHERN RAILWAY COMPANY.

##### RESOLUTION PROPOSED.

House resolved itself in Committee to consider the following Resolution:—

“That it is expedient that the Government be authorized to subscribe the sum of £15,000 sterling of first mortgage bonds of the Northern Railway of Canada, at the rate of ninety per cent., in satisfaction of the sum of £13,500 sterling, being balance remaining due by the said Company to the Dominion of Canada.”

(In the Committee.)

Resolution *ordered to be reported.*

Resolution *reported.*

MR. OUMET.

#### INDEPENDENCE OF PARLIAMENT BILL.

[BILL No. 14.]

(*Mr. Laflamme.*)

Order for third reading, *read.*

SIR JOHN A. MACDONALD moved:

“That the said Bill be re-committed to a Committee of the Whole, with instructions that they have power to strike out all that part of the Bill, which refers to persons receiving Superannuation or retiring allowances.”

He said every British subject should have a right to be elected to Parliament if the people chose him, so long as he was independent of the Crown and could act as an independent representative of the people. He saw no reason why the people should not choose a man who had been trained in the public service and had proved himself an honest, worthy man, nor should there be any stigma thrown upon those men in declaring they should not have the same privilege as their fellow subjects, because they received a reward for their long service to the Crown. This reward was not a favour granted them, they had earned it; it was a freehold estate, an estate for life which the Government could not take from them. The hon. the Minister of Justice had suggested that under the Superannuation Act, any civil officer superannuated, could be recalled into the service. As a matter of fact that was a dead letter, not a single instance of this kind had been suggested, and if he were recalled he forfeited his seat and that was an end of it. In England a special Act was passed removing such disabilities.

MR. LAFLAMME said a superannuated officer could not be independent of the Crown since the Government could, at any time, force him to re-enter the service and thereby lose his seat, and perhaps gain a majority. Again, superannuation was supposed to be granted to a man who was incompetent to further discharge his duties, who had exhausted his life almost in the public service, and was therefore unfit to sit in Parliament. With respect to a Judge the case was still more delicate. A judge was entitled



to obtain a pension after fifteen years service, and it was then optional with the Government to grant it or refuse it. Many Judges of late had been appointed at forty years of age, and at the age of fifty-five the Government might arrange with the Judge to superannuate him, and to use him as a candidate. The Government should not be allowed to have such influence.

Mr. LANGEVIN said according to the law a superannuated officer or pensioned Judge might sit in Parliament now, and no inconvenience had yet arisen from it, in fact not one had found his way here. It would be an advantage to have a retired Judge in Parliament, because he would be a man of experience and learning and who would be of great service in the House.

Amendment *negatived* on a division.

Mr. OUMET moved in amendment.

“That the Bill re committed to a Committee of the Whole, with an instruction that they have power to amend the same by adding to it the following clause: ‘No member of the Senate or of the House of Commons of Canada shall be appointed to any office, commission or employment, permanent or temporary, in the Service of Canada, to which any salary, fee, wages, allowance or emolument, or profit of any kind is attached, unless he has ceased for six months previous to hold a seat in the said Senate or House of Commons of Canada.’”

Amendment *negatived* on the following division:

YZAS:

Messieurs

Baby,	McDonald (Cape Breton),
Béchar, d,	Macmillan,
Benoit,	McCallum,
Blake,	McCarthy,
Blanchet,	McCraney,
Bourassa,	McQuade,
Bourbeau,	Malouin,
Bowell,	Metbot,
Brooks,	Mitchell,
Cameron,	Monteith,
Campbell,	Montplaisir,
Costigan,	Orton,
Currier,	Oumet,
Cuthbert,	Palmer,
Daoust,	Pinsonneault,
Desjardins,	Platt,
Dewdney,	Plumb,
Domville,	Pope (Compton),
Donahue,	Robinson,
Dugas,	Robitaille,
Farrow,	Rochester,
Ferguson,	

Flesher,	Roscoe,
Fraser,	Roy,
Gibbs (Ontario, North),	Ryan,
Gill,	Schultz,
Harwood,	Skinner,
Horton,	Stephenson,
Hurteau,	Thompson (Cariboo),
Jette,	Wade,
Jones (Leeds),	Wallace (S. Norfolk),
Kirkpatrick,	White (East Hastings),
Langevin,	White (North Renfrew),
Lanthier,	Wright (Ottawa),
Little,	Wright (Pontiac).—69.

NATS:

Messieurs

Archibald,	Kerr,
Aylmer,	Kirk,
Bernier,	Lafamme,
Bertram,	Lajoie,
Biggar,	Landarkin,
Blain,	Langlois,
Borroa,	Laurier,
Bowman,	Macdonald (Cornwall),
Brouse,	Macdonald (Kingston),
Brown,	Macdonald (Centre Toronto),
Buell,	MacDonnell (Inverness),
Burk,	MacKay (Cape Breton),
Burpee (St. John),	McKay (Colchester),
Carmichael,	Mackenzie,
Cartwright,	McGregor,
Casgrain,	McInnes,
Charlton,	McIntyre,
Cheval,	McIsaac,
Christie,	McNab,
Church,	McNab,
Cockburn,	Metcalfe,
Coffin,	Mills,
Colby,	Norris,
Cook,	Oliver,
Davies,	Paterson,
Delorme,	Perry,
De St. Georges,	Pettes,
Devlin,	Pickard,
Dymond,	Pouliot,
Ferris,	Ray,
Fleming,	Richard,
Forbes,	Ross (East Durham),
Fréchette,	Ross (West Middlesex),
Galbraith,	Scatcherd,
Geoffrion,	Scriver,
Gibbs (South Ontario),	Sinclair,
Gibson,	Smith (Peel),
Gillies,	Smith (Wesmoreland),
Gillmor,	Snider,
Gouldge,	Taschereau,
Greenway,	Thompson (Haldimand),
Guthrie,	Trow,
Haddow,	Tupper,
Hagar,	Wallace (Albert),
Hall,	Wood,
Higinbotham,	Yeo,
Horton,	Young.—96.
Huntington,	
Irving,	
Jones (Halifax),	

MR. WALLACE (South Norfolk) moved in amendment:—

“That the said Bill be re-committed to a Committee of the Whole, with an instruction that they have power to amend the same by adding to Section 5, the following words:—

‘If any Minister of the Crown shall knowingly be a party to any transaction whereby under any of the provisions of this Act the seat of any member of the House of Commons shall be voided, he, the said Minister, shall void his seat and forfeit his office, and shall be disqualified for seven years thereafter from being appointed to, or for holding any office under the Crown.’”

He said the Government was one party to the transaction, and was just as guilty as, and more so than the other party, the hon. member, as Ministers should know what the law was.

MR. BLAKE: Will my hon. friend tell me whether the Ministry committed a crime that appointed Mr. Dunkin a judge.

MR. POPE said that a crime was not then committed. What constituted a crime was an infraction of the law; but no law was broken when Mr. Dunkin was appointed a judge.

MR. BLAKE: But his seat was voided.

MR. POPE said he would like to know whether the hon. gentleman proposed to carry out the law to what he (Mr. Pope) considered its legitimate results. His complaint against hon. gentlemen opposite was, that they had continued to enter into these arrangements and put their friends in a false position; and he thought that those hon. gentlemen ought to suffer as well as their friends.

SIR JOHN A. MACDONALD said an hon. member could accept an office or contract if he left the House; but if the motion went a little further and declared that if any Minister of the Crown, a party to a transaction by which a member obtained an office or contract, should allow this party, knowing that the getting of this office, or the promise of it or a contract, voided his seat—to remain in the House, such a Minister thus became a party to the transaction and ought to be removed; this would make it a crime on the part of the Minister to allow such a party to sit in the House, as much as it was a crime for such member to sit in the House. Thus, for instance, if any member had the promise of a seat in the Senate, as soon as prorogation took place, and he was allowed to sit in the House, the Minister who knew this, and who,

having made the promise, allowed such a member to remain in the House, would be equally liable with the said member. He understood that this was the effect of the resolution of his hon. friend, but as this resolution certainly did not contain that provision, he, therefore, thought that he for one could not vote for it.

Amendment (Mr. Wallace) negatived on a division.

MR. BOWELL said it was quite evident that the House was not prepared to accept so sweeping a resolution, as that moved by his hon. friend from North Norfolk, and he would therefore propose one in a more modified form. They had seen in the House in the past when questions had arisen and motions were made, which were supposed to effect the seats of certain members, the Government shelter themselves under the plea that they were not liable to any penalty on the ground that it was only the person who accepted the work from the Government or a Minister that was affected by it; and that therefore the person who so tempted a member of Parliament was not guilty of any act, whereby he either forfeited his seat or was subjected to any penalty. His view then and now was that the person who knowingly and wilfully tempted a member of Parliament to violate the law, and to accept either a contract or agreement by which to put public money into his pocket, against the provisions of this Independence of Parliament Act, was equally guilty with the member who received such work; and, therefore, he would propose to make the Minister who offered such contract or agreement to any member subject to the same penalty as such member. The tempter and the tempted should be treated alike. Within these last few days an investigation had taken place before the Public Accounts Committee; he would not enter into the details, but he would merely say that the Public Accounts showed that a member of Parliament had, during the last year, received from this Government between \$30,000 and \$40,000 for supplies furnished to the Government Departments. The Government might say that they knew nothing of this; but it was in evidence

MR. WALLACE.

that the contracts entered into were sent down to the Government for approval; and it would be futile and nonsensical to say that this Government or those members of it in whose Departments these contracts were given, did not know that the parties who accepted the contracts and tendered for them were members of Parliament. Was it at all likely that members occupying positions of the kind could hold independent positions while they sat in the House; and it was equitable to declare that those who tempted them, and knew of their entering into these contracts, should be punished as well as those who took and profited by them. He therefore moved in amendment:

“That the said Bill be re-committed to a Committee of the Whole, with an instruction that they have power to amend the same, by adding to section 5 the following words:

“If any Minister of the Crown shall knowingly be a party to a contract or agreement, whereby under the provisions of this Act the seat of any member of the House of Commons shall be vacated, the seat of the said Minister shall thereby be also vacated, and the said Minister shall become subject to the penalties imposed by this section.”

Mr. BLAKE said that this amendment was open to precisely the same objection as that of the hon. member for South Norfolk. It varied only in this particular, that the penalty on the Minister for not violating any law, and for not doing that which the Bill permitted, was not quite so severe as the hon. member for South Norfolk proposed to make it. He thought that it involved disqualification for seven years as to sitting in this House, but how long a disqualification was not proposed, he did not precisely know. This motion was again based on a misapprehension of the structure of this Independence of Parliament Act, and of all preceding similar Acts. They were all based on the theory that it was legitimate to appoint a member of Parliament to an office, and to make a contract with him and that he must then cease to be a member of Parliament. The seat must be annulled by the acceptance of office or the making of a contract. If the House was disposed to alter the proposition and disable a man while sitting here, and until a certain period afterwards from

being a contractor or public officer that was one thing, but the structure of the Bill remained sustained, by the decision of the House, so that it remained lawful to appoint a man to office or give him a contract while he was a member; and this being so, it was nonsensical to attach a penalty to a Minister for doing an act which the Bill did not prohibit and which it was not the policy of the House to prohibit. The practical solution of this question seemed to him to be very plain, and to differ from the hon. member's plan. Either a resolution or a Bill, or a clause, or an understanding which, should make it the duty of a Minister who had been a party to the disqualifying act, to give the requisite notice of that disqualification, so that the member's seat should be vacated, should be introduced; and it should also be the duty of the Minister who made the disqualifying contract to announce that fact to Parliament at the earliest possible period afterwards, in case the seat should not have been vacated before. This was all that was necessary to guard against the difficulty, and make the whole Bill harmonious. It was, however, just as impossible to sustain this amendment as that of the hon. member for South Norfolk.

Mr. WALLACE: I think we ought to go further and declare that a Minister who does not give such notice, should void his seat.

Mr. BLAKE: You may attach what penalty you please to the branch of duty, but you may be quite sure that such a clause will carry its own results.

Mr. HAGGART: The difficulty could be avoided by requiring the resignation of the seat before a member could receive a contract.

Amendment (Mr. Bowell) *negatived* on a division.

Bill read the third time and *pass'd*.

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

### After Recess.

#### WINDING UP INSOLVENT INSURANCE COMPANIES BILL.—[Bill No 65.]

(Mr. Cartwright.)

THIRD READING.

Order for third reading read.

MR. WHITE (Renfrew) moved :

“ That the said Bill be re-committed to a Committee of the Whole, with instructions that they have power to amend the same, by inserting after the word ‘ months,’ in line 8 of clause 12, the following words :— ‘ from the time such re-insurance shall have been effected.’ ”

MR. KIRKPATRICK said he hoped the hon. the Finance Minister would be able to accept this amendment, because, as the law stood at present, when re-insurance was in such cases effected, an insolvent company ceased to be liable to pay the risk if it was allowed to retain the premium for the period between the time that re-insurance was effected, and six months after it would run no risk. He saw no reason why the Government should insist on an insolvent insurance company being allowed to withhold a premium till six months after re-insurance was effected.

MR. BLAKE said he had already endeavoured to explain the difficulty of going further than the hon. the Finance Minister did go. In the first place, the hon. gentleman said that an insolvent insurance Company retained possession of the premium for a portion of time during which the risk no longer existed. It was certainly true that the risk no longer existed, because if an insurer re-insured, the contract between himself and the insolvent company was at an end. The Government proposed, in compliance with the request made, to allow a partial relief in case of re-insurance, but what the hon. gentleman proposed would place an insolvent company at great disadvantage. The wholesome practice of insuring for short period risks was the best safeguard the public could have. He hoped legislation would put an end to the three years’ system, because he believed that to have been the cause of a great proportion of the losses, and

MR. HAGGART.

reckless trading of insurance companies. The public had the remedy in their own hands, and he did not think it would be judicious to go further in the meantime.

Motion *negatived* on a division,

Bill read the third time and passed.

#### SUPPLY.

House resolved itself into Committee of Supply.

#### XI.—MILITIA.

##### ORDINARY.

66 Salaries of Military Branch and District Staff..... \$28,600

MR. BOWELL said he did not think that much required to be said since the new Minister had taken control of the War Department of this country. He had had the audacity in the past to criticise the manner in which the volunteer militia of this country was managed formerly ; he regretted to say there was little improvement at the present time. Most of the reports presented to the House by the Major General had been of a character to meet with the approval of volunteer officers, to those who had watched the progress of that force from its inception. The Major General had shown a practical knowledge of the wants of the volunteer force of this country which had not been exceeded by his predecessors. Still there were, he must confess, some strange sentences and passages in this report. It did seem to him that if the Major General had directed his attention more particularly to the Government, and asked them to do that which he had asked the independent members of this House to do, he would be more likely to accomplish the object he had in view. It was quite evident he was a soldier, and not a civilian, or he never would have written this passage :— ‘ I trust that some of the many members of the Militia, who represent constituencies in Parliament, may undertake to hold up their voices in their behalf. I have often felt how meagre is the support the militia receives from those who by practical experience of their requirements, have it in their

power to make their case clear before the Legislature." This passage was evidently one that the Major-General could not have thought much over when he wrote it, because he must have known, as everyone in the country knew, that independent members of the House had, on previous occasions, called the attention of the Government to what they conceived to be defects in the management of the force, and not only of this, but the preceding Government; and it had been a constant source of regret to those who took an interest in the volunteer force that the suggestions which had been made by the various commanders had not been attended to. It had always been the opinion of many in this House that the staff swallowed up a large amount of the appropriation, and that a reduction of this item was desirable. It was reduced to a certain extent last year, and he found the Major-General said:—"We have twelve Deputy Adjutant-Generals, one for each military district, and eleven Brigade Majors, a small reduction in the latter was made two years ago, and the result has been good instead of the reverse. With trifling exception the staff, as a whole, is efficient, and some of them as good as could possibly be desired." He (Mr. Bowell) had no desire to find fault with the gentlemen composing the staff; on the contrary he believed most were efficient and faithfully discharged their duties, but it would be in the recollection of hon. members that so long ago as the passing of the Bill which created these Brigade Majors, he, with others, took exception to this branch of the staff, and he never ceased to believe that it would be just as efficient without that branch. He quoted this as much in justification of what he had been striving for during nine years as anything else. There was one of the most experienced officers in the Kingdom at the head of our volunteer force, and two years ago he recommended this reduction of the staff. A partial reduction had been made, and this had resulted in more good than might have been expected. There was another passage, however, in reference to this staff, which seemed to be uncalled for. In the 6th paragraph he said:

"I before suggested that the Brigade Staff should be paid a consolidated allowance pro-

portioned to the amount they now receive, instead of being paid eight dollars per annum for each efficient company. It is hardly to be expected from the most conscientious officer that he will willingly bring to notice and recommend the disbandment of an inefficient company at the price of reducing his own income. I am aware the present system has this result--which has a bad effect and deters officers from independent action."

He (Mr. Bowell) thought this was a statement scarcely to be expected from an officer holding so high a position. It was a direct intimation that the brigade majors, in order to obtain these extra eight dollars, hesitated to report those inefficient who really were so. That was a reflection upon those officers, and he thought scarcely a reasonable one. Still, he was bound to believe that the Major-General knew it to be a fact, or he would not have placed it in his report. At all events, it called for an investigation on his part and on the part of the Government; and, if it were found to be true, then the sooner the brigade majors were dispensed with the better. He had no desire to go through the whole of this report, but he would like to ask the hon. Minister of Militia whether it was the intention of the Government to carry out the suggestions made in that report? For instance, the Major-General had drawn attention to military schools, in reference to which he said very little or no good had resulted from their establishment. He spoke of those particularly in the Maritime Provinces, and called the attention of the Government also to the neglect of the city of Montreal in rebuilding their drill shed. He said the city had received \$12,000 to aid them in the erection of a drill shed, which \$12,000 they had kept to themselves, without carrying out the agreement; and he recommended that the sum should be sued for and collected from the city. That opened up a very large question, and he (Mr. Bowell) thought it must be evident that it was scarcely fair or equitable to this section of the country, which raised a large volunteer force, to ask men to build armories and drill sheds for themselves. The force was for the benefit of the whole Dominion, and the funds of the Dominion should be used to construct sufficient drill sheds

and armories, in which the clothing and arms could be properly secured and the men properly drilled. He knew that the voice of the country would not justify them in maintaining an active force in a country like ours, but he thought that, from the experience of the past, they should adopt some system permanent in its character. The suggestions thrown out in this report if adopted, might add a little to the present expenditure, but it would more than repay the country by ensuring an efficient force that would be useful if required. That increased expenditure might be met by striking out the staff officers he had referred to. The Major-General also called attention to the necessity of compelling those who took no active interest in the militia organization, who spent no time in drill, and who only endeavoured to turn the whole movement into ridicule, to pay a capitation grant towards the maintenance of these forces. This was not a new idea, and he believed that if this system was adopted, perhaps it might be sufficient to impose it at the present moment, but there was a time when the imposition of such a tax would have been acceptable and would have been received by the country as a step in the right direction. As he did not desire to continue the discussion on every item as it came up, he had made these general remarks, and he would only repeat that the staff at headquarters might be reduced and the money spent upon other matters which would tend to the efficiency of the force.

MR. DEVLIN said this was, perhaps, a fitting time to call the attention of the hon. Minister of Militia to the want of an armoury in the City of Montreal. He concurred with the remarks of the hon. gentleman who had just taken his seat, in reference to the necessity he had pointed out to provide proper drill sheds and armouries all over the country, and he should like to know what steps the hon. Minister of Militia had taken to secure the Montreal volunteer force that accommodation for dilling which was absolutely necessary, if the force was to be kept together. It was true,

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as the hon. member for North Hastings had stated, that the Government made a grant of \$12,000 to the City of Montreal to assist in erecting a suitable armoury for the use of the volunteer force of that city, and he (Mr. Devlin) was himself in the Council at that time, and took an active part in promoting that object. The armoury was constructed, but a short time after the roof fell in and the building became a ruin, and from that time up to the present no step had been taken on the part of the city to replace the building or return the money which the Government had granted for that purpose. It was a matter of very great importance to have a proper drill shed erected in that city. He presumed the hon. Minister of Militia knew very well that the men who were members of the force throughout the Dominion could only devote their time to drill in the evenings. They were engaged during the day in various employments which rendered it absolutely impossible for them to devote the day to drilling purposes. Therefore, if they had no place to go to at night where they could acquire that knowledge which was absolutely essential, of course the efficiency of the force must become impaired. Not only that, but the taste for volunteering was also considerably impaired. When volunteers felt that interest was not taken in them, and that they were left without means for perfecting themselves in military knowledge, they began to think they were losing their time. The corporation of Montreal had dealt unjustly with the volunteer force. They had kept possession of \$12,000 which the Government had given as a grant toward the construction of this building, which money they had kept since the destruction of the former one. With the interest added the sum would now amount to \$20,000, a sum amply sufficient to provide the necessary accommodation for the volunteers of that city. He hoped the hon. the Minister of Militia would take immediate steps to oblige the Corporation to return the money or to construct the building. He wished to make one remark with reference to the statement made by the hon. member for North Hastings, in speaking of

providing suitable places for the preservation of arms, which as he (Mr. Devlin) had already said, was absolutely necessary, that he had read in the Montreal papers that arms had been lent by some volunteers in that city, and he deprecated the practice. He (Mr. Devlin) agreed with the hon. member that arms should not be permitted to leave the armories except for military purposes. He desired also to say that the arms lent, on that occasion, were simply half-a-dozen for a performance in one of the theatres in the city. It had been the practice of regiments of volunteers, in Montreal, to lend a few rifles on occasions of that kind. On that occasion, a very great deal of feeling had been caused by mis-statements in public newspapers. He trusted the Minister of Militia would be able to inform them that he had taken steps to place the volunteer force in Montreal in a more efficient state than it had been for the past ten years.

Mr. JONES (Halifax) said it was quite natural that the Major-General, in discussing the position of the militia in this country, should have made reference to members of this House. He was aware, no doubt, that there were a great many gentlemen in this House who, for a long time, had held very important commands in the militia service of the country, and he naturally thought that he had good reasons to hope that these gentlemen, who represented constituencies in Parliament, might undertake to say a good word in carrying out some of the recommendations which he had, year after year, made on this subject. The Major-General probably knew, as well as members of this House, that the expenditure for military purposes had not been very popular in this country for some time. Therefore, was this reference made to hon. gentlemen that they might aid the Government of the day in carrying out the expenditure, and in popularising, if possible, the vote which the Government would think necessary to ask for that purpose. The hon. member for North Hastings had referred to recommendations made by the Major-General on a previous occasion in favour of reducing the bri-

gade staff. That reduction had been made to a considerable extent, as the General had stated in his present report, without in any way impairing the efficiency of the service. He was not prepared to deny that there was a great deal of force in what the hon. member for North Hastings had said with reference to a farther reduction of the staff. He had always thought there was a large amount of money expended on the staff, and was always of opinion that the Militia force might be managed with a smaller staff; but, looking at the position elsewhere, he felt that it was not proper at the present moment to make an important reduction, until it could be seen whether the position of affairs in the near future would be similar to that enjoyed in the past. On that point he did not differ much from the hon. member for North Hastings. The Lieutenant-General had pointed out that the amount which these Brigade Majors received for their official companies was an objection to the system. It certainly was. It could hardly be expected that these men, receiving a certain sum of money, could always report as promptly as they should do, if the company was not as effective as it ought to be. The hon. member for North Hastings had asked whether the Government had taken any steps to enquire into this, or whether the Government was aware of it. The Government could only be made aware of this through the officers, through the Deputy-Adjutant-General or military staff of the district, and could hardly otherwise be made aware of the fact, whether a certain company was up to its effective force, or whether the Brigade-Major had reported the company as effective, when it was not quite up to the standard. That system had been formed in the old Provinces, for the purpose of paying these Brigade Majors according to the duty they performed. He did not mean to say it was a good system; it was one which might be very much improved. With regard to Military schools in the Maritime Provinces, he quite agreed with the Lieutenant-General in his recommendations, and means were now being taken and information obtained with a view to

placing them in a different position. He believed they had not worked as satisfactorily as had been expected. With regard to the Montreal drill-shed and the question of drill-sheds, the system had been settled by previous Governments. The system in providing drill-sheds was to divide the expenditure between the localities requiring them and the Government of the Dominion. Following up that principle, the Government some time ago, by an arrangement with the corporation of Montreal, gave them \$12,000 towards building a drill-shed in that city, and also paid them \$1,200 yearly rent. That was continued until the roof fell in. Since then the Skating Rink of Montreal had been hired by the Government for the use of the volunteer militia. No doubt the position of affairs in Montreal was extremely unsatisfactory, and he had deemed it his duty, on taking charge of the Department, to draw the attention of the Corporation of Montreal to the position of affairs, and insist on their returning the money or provide the necessary accommodation for drill and armoury purposes. He was glad to say that this question was now being considered by the Corporation. The attention of the Government had been drawn to the fact that the Champ de Mars was being used as a place of deposit for rubbish, and that the fences had been allowed to go down, and that it had been made worthless for military purposes. He had called the attention of the Corporation to that also, and hoped they would remedy it. The policy of the late Government had been followed with regard to drill-sheds, and if a change were desired it was for Parliament to decide. With regard to the condition of arms, no doubt many arms belonging to the Dominion had been distributed throughout this country without that proper care which was necessary to keep them in a good state of preservation. The chief difficulty had been to find proper persons to take charge of them. The Government had lately sent to England for two first class armoury sergeants, who were now on their way out, and would arrive the coming week or ten days. He intended sending them about the country to examine the different

armouries and see that the arms were in a good state of repair. The system of distributing arms to independent companies could not but result in what the hon. gentleman pointed out. Many of these having no armouries, the members took the arms home, and they were sometimes not taken proper care of. It was the object of the Government to consolidate the Militia as much as possible. From his short experience, he perceived that the system pursued of having so many independent companies throughout the country at a distance from control and inspection had not been satisfactory. It would be much better to have a smaller and better trained force, located in the larger cities, towns and villages, where they could be got at readily.

MR. McNAB said he desired to submit to the notice of the Committee, and more particularly to the attention of the hon. Minister of Militia and the Government, the case of an old militia man who was enrolled in the militia of 1812. The case was one of considerable interest to members of the militia force, and worthy of the sympathy of the House. The militiaman in question was Angus B. McDougall, of the Township of Lancaster, in the County of Glengarry, who was enrolled in 1812, in one of the regiments of incorporated militia of the then Province of Canada. He served as a soldier faithfully for a period of three years in the rank of sergeant; he was present in three or four engagements, and in 1814 was severely wounded in the arm, head and shoulder, at the battle of Lundy's Lane. He was discharged from the regiment in 1815. About the time of his discharge he was examined by the Board of Examiners appointed for such cases, and he was recommended to be placed on the pension list, his wounds being found to be such as rendered him unable to do any service to support either himself or his family. He drew a pension of \$80 a year until 1819. At that time, for some reason or other, his name was struck from the list, and he was consequently deprived of his pension. He made several attempts to have his pension renewed, which were ineffectual. He travelled to Toronto to have an interview with the Gover-

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nor General of the day, who promised to take his case into consideration, and led him to hope the pension would be restored. However, for some reason the case was overlooked for a number of years. He then underwent an examination before the surgeon of the regiment in which he was enrolled, who certified that his wounds were of such a character that he was unable to perform manual labour. Two years afterwards, by command of the Governor-General, a Medical Board was again appointed to re-examine him—that was in 1837—which Board recommended that Mr. McDougall's name should be again placed on the pension list; and he had drawn from that period to the present, the pension of \$80 a year. That old, gallant militiaman, who had been wounded in the service of his country, claimed he had a right to be paid for the period between 1819 and 1837, and his claim appeared to be a just and equitable one. Mr. McDougall had made several efforts to have his claim recognized, but men living in the country districts were not in a position to advance their claims as successfully as those living near the seat of Government. It might be objected that Mr. McDougall's claim was one which should have been pressed against the old Province of Canada, and not against the Dominion; and that objection might undoubtedly have some force. But it would be noticed that Mr. McDougall urgently pressed his claim, though unsuccessfully; and the Province of Upper Canada being now a part of the Dominion, any just claims against it should receive due recognition and consideration, and although the claim was an old one, that should be no bar to its being paid, if a just one. He hoped, therefore, the Minister of Militia would give the case that careful attention which it deserved, and satisfy Mr. McDougall's claim; and should the Government not be able to pay him the whole claim, he trusted that they would deal with him fairly and equitably, and pay him, at least, a portion of said claim.

MR. JONES (Halifax) said the hon. member had, no doubt, stated the case fairly; but the difficulty of dealing

with the case at the present time, was obviously very great. Mr. McDougall was struck from the pension list in 1819, and replaced in 1837. It appeared, also, from the papers, that Mr. McDougall had made several ineffectual efforts to obtain arrears of pay between those years, from the old Province of Canada. The Government of the Province of Upper Canada refused both in 1838 and 1845, to entertain the proposal. Of course, the case might seem a hard one, but he (Mr. Jones) did not perceive how the Government could entertain a claim at this remote period, which was refused by the Government of the day, although aware of the circumstances.

MR. KIRKPATRICK said he was glad to find that some steps were being taken to keep the expensive and delicate arms scattered over the country in the hands of volunteers in order. He was very much afraid that, if required, a great number of these arms would be found to be so much damaged as to be utterly useless. Efficient armourers should be placed in the different districts to see that these arms were kept in repair. The inspecting officers too, often passed over the arms without taking care to see that they were in good order, or they simply withheld the money without seeing that it was expended to put them in order. This money should be expended under armourers. The hon. gentleman told them that armourers were about to arrive in this country; and he was entitled to a great deal of credit for this step, which was a step in the right direction.

MR. BUNSTER regretted that no appropriation was made for the erection of a drill-shed at Nanaimo, where one was urgently required; where there were now 70 volunteers, a number which could be raised to 150, two companies, if proper encouragement was extended by the Department, which was not at present the case. The officer in command was only an ensign, though admirably qualified for his duties, and the best officer in the Province, while there were a major and captain at Victoria, and also a captain at New Westminster. They had also discharged naval officers

at Nanaimo, who would drill the volunteers for a very small remuneration.

MR. JONES (Halifax) said that the affairs of British Columbia had received the attention of the Department. The Major-General recommended last year that guns should be placed in position at Point Macauley, for the protection of Nansimo and Victoria Harbours. Application had been made to the Imperial Government to have this done, and they have every reason to suppose that rifled guns would be sent out for this purpose. They were building a magazine at this point, and repairing the place where the stores were kept, and had given instructions for the raising there of a battery of artillery. They were doing everything they could, consistent with the sum at their disposal, to protect that part of the coast. He confessed that the question of placing a drill-shed at Nanaimo had not engaged the attention of the Department, but if the hon. gentleman would show the necessity of it, he should be disposed to give the matter favourable consideration.

MR. CARON said that the question of engaging armourers for the different districts deserved the consideration of the Government. He believed that the artillery, cavalry and infantry forces of the Dominion numbered about 25,000 men, and he thought that special attention had been given to the promotion of the artillery branch, though it comprised only about 5,000 men. "A" and "B" Batteries had been established, and artillery schools had been opened. This was, no doubt a very important branch, especially as regarded Quebec, owing to its fortifications; but, nevertheless he considered that some more attention should be paid to the infantry branch, of which the bulk of the force was composed.

MR. DOMVILLE said that all the various reports brought down by the General in command pointed to the advisability of having proper and efficient forces, though, as the hon. Minister of Militia said, it was very difficult to accomplish this without a sufficient appropriation. The hon. gentleman was a vast improve-

ment on his predecessor. The hon. gentleman evinced a desire to improve the service generally, as could be seen by his action regarding Wimbledon. No doubt the hon. gentleman saw that it would be difficult to make the service effective unless judicious change was made. The hon. gentleman suggested there should be a small and better trained force, and perhaps this was a good idea, though then the question arose as to where we would get a large number of men, if occasion required them. To keep up the various corps in the country properly, some other inducement beyond the eight days' drill should be given, the men should have some *esprit de corps*, and made, as far as possible, to feel like real soldiers. The commanding officer should take an interest in the corps, and every inducement should be held out to make the service popular. They had one cavalry corps in New Brunswick, and as the men were greatly scattered, there ought to be some means furnished for bringing them together—say for fifteen days' drill at least, once in three years, if not oftener. Very little inducement existed at present to keep these men together, though the corps had never as yet been disbanded. Last year he had brought this point up, but he was informed that this was the course adopted through Canada. He could understand that this would do very well for cavalry corps in Toronto. There the men lived near each other, but in New Brunswick the state of affairs was altogether different. He thought greater satisfaction would have been given if their military had been employed in St. John at the time of the great fire. The General himself stated that the drills should extend to a period of not less than 28 days. He thought that an Infantry School should be established in the Lower Provinces. It was rather humiliating to find the Lower Provinces censured in the report for not being as efficient as they should be in this relation, but the truth was that sufficient inducement was not held out to make the service popular. Captains might be given an allowance to collect accoutrements after drill and keep them together, for he did not believe that armourers could be had

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everywhere. It would be impossible to employ an armourer in connection with this cavalry corps. Complaint was made in the report about the loss of a few marquees, etc., in connection with the great fire; but he thought the country should be able to bear this loss, without having such particular notice taken of the fact. He mentioned this because the Corporation of St. John was called upon to pay for certain tent poles, mallets and other articles which were really handed over to the Relief Committee, in whose possession they were now, or, at least, ought to be. Though the volunteers of New Brunswick were not so well up in drill, yet the corps were well commanded, especially the cavalry, who were praised by so distinguished an officer as the Lieutenant-General. He hoped the Opposition would be able next year, though on a different side of the House, to accord the Minister of Militia some praise for the present efficiency of the forces.

MR. BLANCHET thought the Minister of Militia must be congratulated on his accession to such an important Department, and he thought the country must be congratulated on the defence of Canada being entrusted to the hon. member, whose manliness, military air and *degagé*, convinced all that this Department was in proper hands. The people of this country were not very favourable to a standing army, though they were all pleased to see grand reviews and other military spectacles—because our resources did not allow of our keeping a large number of men on a permanent footing. The eminent officer who came to this country a few years ago had ascertained, as far as possible, our requirements, and had made recommendations which, if carried out, would enable us to have a force ready for any emergencies. There were some corps in this country, principally in the fortified towns like Quebec and Kingston, which were on a very efficient footing, and he would merely allude, therefore, to the infantry, which was the most important branch of the service and the most difficult to maintain. If the recommendation of the Major-General were carried out, if military schools

and armouries were established, good staff officers appointed, and a proper number of days set aside for drill, the infantry would be made really efficient—eight days' or twelve days' drill, per year, were not sufficient. He thought, also, ammunition should be supplied to rifle clubs at cost price; he did not suppose the Government desired to make a profit out of this ammunition.

MR. FLESHER said his firm conviction was that it would be unwise, if the *esprit de corps* of the force was to be maintained, to make such changes as would allow them to remain for one or two years undrilled. He was glad to hear that it was the intention of the Government to send armourers around, because, from his own personal knowledge, he could say that nearly 10 per cent. of the arms were at the present time rendered useless, especially in rural districts where there were no persons skilled in arms to inspect them. In these districts it frequently happened that persons who wished to become expert shots secretly made alterations in their rifles, which frequently damaged them, and a very large proportion also were destroyed by oxidization in consequence of there not being a suitable armoury or well-warmed apartment in which to store them. In his own neighbourhood he had found it necessary to build a compartment above the level of the ground, and, by introducing double floors, render it warmer than the majority of armouries in this Dominion. Then, until recently, there had been a conflict between the standing rules and orders and the statutory rules as to how companies could be called out to aid the civil power. That, however, had been amended by a recent Order in Council, but there was still a difficulty as to how they should be paid when called out in any locality. The word "locality," as mentioned in the Act, was of very vague significance. He (Mr. Flesher) was with his company called out last Fall, in anticipation of a riot, to a place which happened to be without the town line. Application was made to the county for pay, but it was refused, and on the town authorities being

applied to, he was referred back to the county. This was not, perhaps, a matter of grave moment, but it might be found in a case of emergency that the militia would possibly display considerable reluctance to respond to a call if they were not certain of being paid. He hoped the hon. Minister of Militia would more clearly define whether the word "locality" meant township or county.

MR. JONES (Halifax) said that as the hon. member for Bellechasse doubtless knew, it was difficult for any one in charge of a Department like that of the Militia, to deal with all the branches of the service with the limited means at his disposal. No doubt it would be a great advantage to have a training school for the infantry, but that would entail considerable expense. At present there were schools of gunnery at Quebec and Kingston, where young men might receive such education in infantry tactics as would qualify them to be infantry officers. He confessed it was not desirable that the two offices should be mixed up, but at the present time the Government had not sufficient funds at their disposal to establish separate schools. With regard to the division of the forces, they must, of course, be largely influenced by the General commanding them. If his hon. friend looked at the reports of the Lieut.-General accurately he would find certain propositions were laid down that it was necessary, in certain places, to utilize the forts already in existence. He would also find that great stress was laid by the Lieutenant-General on the necessity for increased fortifications at Quebec and Kingston. The Government had taken some steps to supply the deficiency at Quebec, and had ordered one battery there, with two infantry companies, and intended to give a company to Lévis to man the forts on that side of the river. His hon. friend would be aware also that Sir William Pallister lately offered some rifle-cannon for the fortifications of Quebec, which were accepted, and were now on their way out. Since then, Sir William Pallister had been kind enough to make another offer of a ten-inch gun for Nanaimo, but, considering that skilled men were

required to work at it, and that each time it was fired it would cost \$40, it was deemed advisable to place it at Quebec, where it might be of service in case of need. Orders had lately been given for the raising of two companies in Manitoba. Offers to raise companies were being received every day, but only those were accepted at places where, from a strategical point of view, they were considered necessary. With reference to ammunition, he might mention that the rule of the Department had been to sell it considerably below cost to volunteers requiring it. Ammunition for the Snider Enfield rifle, which cost \$21.72 per thousand, had been sold at \$16, without the boxes, which cost \$2 each. That would be about three dollars per thousand less than they cost the Department; and the volunteers obtained them at this reduction, for rifle purposes, because the Government were anxious to encourage the use of fire-arms in that way.

MR. BLANCHET thought it would be well to have a detachment of artillery at Quebec, because it was necessary that the forts should be kept in repair.

MR. JONES said they proposed at an early date to raise a battery at Lévis.

MR. LANGEVIN said he was not surprised at his hon. friend from Bellechase (Mr. Blanchet) wishing to see the guns at Quebec; but he (Mr. Langevin) thought there were also other places that ought not to be forgotten. He hoped that Esquimault Harbour had not been forgotten, for, although it was a place very far from Ottawa, the people of British Columbia were under the same rule, and had the same right to the protection of the Dominion. He was thankful to the hon. the Minister of Militia for the readiness with which he had attended to his remarks with regard to the rules and regulations for the Dominion Cadets. But the change made in the rules had not been advertised except in the *Official Gazette*, which was read by very few people. It should be published in all the papers, irrespective of party, so that the young men would be made aware of the change. If he was rightly informed.

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it was intended there should be two cadets from each district. Would it not be well to insist that each of those staff officers should furnish two cadets from his district? He hoped the hon. the Minister of Militia would take measures to make the College accessible to all sections.

MR. PLUMB said he would be glad to hear from the hon. the Minister of Militia whether he intended to provide camps, and whether one would be held at Niagara. He also suggested that the sum of \$1,000 be set aside out of the amount appropriated for repairs to be used on the barracks at Niagara, to prevent them from falling into ruin. The remarks of the hon. member for Charlevoix respecting the desirability of obtaining French Canadian cadets in the Kingston College, were well put and worthy of being attended to.

MR. BOWELL said he was strongly in favour of company drill, which was of the greatest importance. It was true that commanding officers and members of the staff desired battalion, brigade and division drill, but raw companies should be first thoroughly drilled at headquarters, and then their movement in masses was a comparatively easy matter if the officers knew their duties. College education was highly important, and those succeeded best in life who had it, while those who lacked it worked at a great disadvantage. He was surprised to hear any one in this House declare that a young man well educated, whether in a Military College, or in any other school, was unfitted for any position save that of a gentleman. The very fact that General Grant had managed successfully, first a tannery and then an army, was the best evidence that a man who was educated was fitted for any employment. He did not attach a very great deal of importance to that recommendation of the Adjutant-General, that there should be a new muster or a re-enlistment of the militia; but, he wished to know whether this was intended. The suggestion, however, that our guns, which numbered some 300 or 400, should be rifled in this country, was admirable and should be

carried into effect. Mr. Pallister had pointed out that this could be done. It would also have the advantage of giving additional employment, and it would save a great deal of expense that would be incurred if they were sent to England. No doubt it would receive the serious consideration of the Government.

MR. JONES said that they did not propose to drill the men in camp this season. The same plan as last year—company drill at headquarters for twelve days would be followed. If they could afford the expense, he thought that the drill should all be performed at battalion headquarters. As to the fuel question at Kingston and Quebec, this would engage the attention of the Department. They had tried two furnaces at Quebec during last winter: and they could now learn what saving had been effected. A large number of rooms and casemates had to be heated there; but he would admit that the item seemed large. They were endeavouring, however, to reduce it; and if the present scheme was not successful, they must try something else. They had transmitted the representation concerning the state of the barracks at Niagara, to the military authorities in the District; and would act on their report. They were also obliged to heat the quarters at Lévis, and keep them from becoming damp and mouldy. The Government had been extremely anxious to meet the representations of the hon. member for Charlevoix concurring the rules for the admission of the students into the Military College; and these had been altered to conform to the hon. gentleman's views. It appeared to him that the proposition to print these rules in the newspapers would involve a very heavy expense, and, instead, it was decided to print them in French and English and distribute among the schools and colleges of the Dominion. This could be done without much expense, and afterwards, if necessary, they could be published in the Press. The college was equally open to English and French-speaking Canadians, and it was not the fault of the Government if the number of French Canadian cadets was not larger.

Mr. LANGEVIN said that he thought it would be desirable to publish the advertisement in question in the leading newspapers, by which it would reach every part of the Province.

Mr. JONES said that the establishment of this college had been considered necessary in the public interest, and for Imperial considerations rather than to serve for our own defence at the time. We had to pay a certain deference to the British Government in all these matters; and he had always felt that the amount we paid annually for military purposes was more to show the Home Government our willingness, as far as possible, to take upon ourselves a fair share of our own defence, than for any other purpose. He thought we should have in our midst a class of young men or officers who would, in the case of certain eventualities, be found useful in the public interest or service. If necessity arose, no doubt, the young men educated in our college would be found to be as useful as the American West Point Cadets were when occasion presented which required their services. No doubt there was a great deal of difficulty as to how these young men might be utilized. It was of great importance that young men going to a college of this kind should have opened to them some useful career. With that object application had been made to the British Government to ascertain under what circumstances two or three commissions might be placed at the disposal of the Department, for such cadets as might pass with the highest honours. It was also proposed to give those cadets who passed through the college, the first claim for such positions in the Civil Service of Canada as they might be qualified for. They might, for instance, be utilized as engineers.

Mr. MITCHELL: There are too many engineers already.

Mr. BLANCHET: Not at all.

Mr. JONES said there were not too many good engineers. The hon. member for North Hastings desired to know what would be the policy of the Government with reference to the enroll-

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ment of the militia. The hon. gentleman was no doubt aware that the militia were enrolled in 1875. Previous to that time they were enrolled every second year at an expenditure of about \$50,000, but as it was considered unnecessary to enroll them so frequently, a law was passed in 1875 under which the next enrollment was postponed until 1880—the year of the census—after which they would be enrolled every five years. The hon. gentleman would find, on referring to page 19 of the Major-General's report, that Sir William Pallister when he stated after consultation with a firm in Montreal, that the guns referred to could be altered on the spot at much less expense than would be paid for guns of the same calibre imported from England. By an agreement with that firm in Montreal, the Government undertook to bear the expense of altering one of the guns.

Mr. MITCHELL said he was instructed to ask what security regimental paymasters gave. He wished to know whether "dummies" were not put up and the money pocketed by the officers; and whether it was not known that in many cases the musketry returns were not bogus ones.

Mr. JONES said, if the person who communicated that information to the hon. member for Northumberland, was a good citizen, he would have placed himself in communication with the Department, so that the matter might receive an immediate investigation.

Mr. BUNSTER said he considered it most unfair that the guns intended by Sir William Pallister to be given to Nanaimo should be sent to Quebec.

Mr. MACDONALD (Cape Breton) thought it was desirable that paid adjutants and sergeant-majors should be attached to each regiment.

Mr. JONES said it would, no doubt, be a great advantage to have a paid adjutant and sergeant attached to each corps, but that would necessarily involve a much larger expense than it would be, at present, wise to appropriate.

Mr. SCHULTZ said he had one or two suggestions to offer with reference to the militia force in that part of

Canada from which he came. It was well known that at the present time there existed, particularly in the Western States of the Union, a large class of that element from which Fenian organizations had sprung, and there was nothing to prevent these ruffians from coming to Manitoba and seizing the arms stored there. There were, it was true, volunteer and militia forces in Manitoba, maintained at very considerable expense; but they were not concentrated, and in winter it would be perfectly easy for a body of Fenians to collect in the city of St. Paul and do serious mischief in Manitoba. He was of opinion, looking also to the serious state of affairs which existed in the North-West at the present time, that a standing force was required. There were just now on our soil a large number of those Indians whom the Americans characterized as "Hostile Sioux," whose cavalry had been able to route an equal number of the finest cavalry of the United States. It was rumoured, and he was inclined to believe the rumour, that the Sioux had entered into an alliance with the Blackfoot Indians. Now, although that alliance might have no immediate results, it might still become an element of danger, especially after the ill-advised act of the Government in asking American Commissioners to visit the Sioux in our territory. There was a standing offer on the part of the American Government to every hostile Indian, or a member of a hostile band, that if he would give up his arms he would be clothed and fed and be perfectly safe, so it was evident if these Sioux would not accept such an offer while in the United States they would not likely go back from our territory. It was important that they should possess a good force in this Province, and he sincerely trusted that the hon. Minister of Militia would take the matter into his consideration and make enquiries for himself in regard to it. The combination which he feared had taken place between the Sioux and the Blackfeet, rendered such provision all the more necessary.

Mr. THOMPSON (Haldimand) asked whether the twelve days train-

ing would be battalion or company drill. He thought battalion drill would be preferable.

Mr. JONES said that where it could be carried out with much expense in moving the men it would be battalion drill at headquarters.

Mr. THOMPSON said the men only received 50c. per day last year, and this was insufficient for their expenses. He hoped a further allowance would be made this year.

Mr. PLUMB said that, with regard to the heating of armouries, a new patent had lately been introduced for heating whole towns by steam, to be laid on in the same way as the gas was at present. He thought this would supersede any existing system; and, therefore, in any new drill-sheds or armouries that the Government erected, they should take this scheme into consideration, and have the buildings so constructed that the new process of heating might be easily applied. As to the yearly drills, Niagara was certainly a good camping ground, and last year the corporation sank artesian wells and put themselves to other expense for the convenience of the camp.

Mr. BUNSTER said he wished to ask whether it was the intention of the Government to reorganize the British Columbia artillery or not?

Mr. JONES: We have to take that into consideration.

Sir JOHN A. MACDONALD: With respect to this first item, I would be glad to know whether the Department intend to make any further reduction of the staff?

Mr. JONES said they had not decided upon any further reduction. He thought it might be held, from what had been said in the course of the discussion upon these items, that a further reduction might be made without endangering the efficiency of the service, but he was of a different opinion. But all these things would be carefully considered; at present the Department had no fixed determination in the matter.

Sir JOHN A. MACDONALD said there was another point to which he wished to call attention. They took an

old officer and appointed him to a post as district adjutant-general. The office was a sinecure for life, and the man felt that he need not exert himself. In England that system was completely altered; every staff officer was changed every five years, as it was supposed that in that period he would have become somewhat rusty. Under the present system all these adjutant-generals would have to be replaced in the event of war; not one of them would be of the slightest use.

MR. JONES said he had long felt that some change was necessary in this respect, or some of these old gentlemen would have vested rights, and go on for half a century.

MR. KIRKPATRICK said that this matter was spoken of by the right hon. gentleman (Sir John A. Macdonald) two years ago, and yet no steps had been taken to provide a remedy.

MR. HIGINBOTHAM said he wished briefly to call attention to the extraordinary statement made by the hon. member for Northumberland (Mr. Mitchell), and he might state that that gentleman did not express the views of his own constituency, or of the people of New Brunswick, with reference to the volunteers. The people of that Province were much in favour of the movement, and would be glad to assist it.

MR. MITCHELL said he did not know what the experience of the last speaker might be in Ontario, but in his (Mr. Mitchell's) section of the Dominion, he found no such enthusiasm for squandering money on military displays.

*Vote agreed to.*

67. Salaries of Brigade Majors.....	\$20,000
68. Allowance for Drill Instruction...	40,000
69. { Ammunition.....	\$40,000
{ Clothing.....	50,000
{ Military Stores.....	40,000
	130,000
70. Public Armouries and care of arms, including Storekeepers and Caretakers, Storemen and the rents, fuel and light of Public Armouries.....	52,000
71. Drill pay and all other incidental expenses connected with the Drill and training of the Militia.....	155,000

SIR JOHN A. MACDONALD.

72. Contingencies and general service, not otherwise provided for, including assistance to Artillery and Rifle Associations and Bands of efficient Corps.....	50,000
73. Drill Sheds and Rifle Ranges.....	10,000

*Extraordinary.*

74. Care and maintenance of Military Properties transferred from the Ordnance and Imperial Government, including rents...	10,000
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*Special.*

75. Military College.....	50,000
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MR. JONES (Halifax) said, with reference to clothing imported from England, that it was far superior to that made in Canada. Two pairs of the imported trowsers were equal to three of Canadian make. The tunics were also better made and of better material, in fact superior in every way. They were the same as were supplied to the Service. It was also impossible to obtain the clothing in Canada of a uniform shade. The English tunic cost \$4.00 and lasted four years, while the Canadian tunic cost \$3.60 and lasted three years.

SIR JOHN A. MACDONALD said steps should be taken to have permission given to the students at Kingston, to compete for commissions in Her Majesty's Service. Here was a Military College provided without any expense to the Imperial Government, the standard of which was as high as the Imperial College, and no doubt Her Majesty's Government would be glad to avail themselves of the services of these young men, trained to fight the battles of the Empire.

MR. JONES said, no doubt the people of Canada considered they should have the first claim on the services of these young men, in the event of their services being required. They might not be satisfied that this Dominion should educate men for the Imperial Service.

MR. MITCHELL said when the qualification of masters and mates was established in Canada, the English authorities showed great objection to recognizing these qualifications, and it was only after two or three years they



understood the fact that there were as many able men in Canada as in England.

Vote agreed to.

77. Pay, Maintenance and Equipment of "A" and "B" Batteries Garrison Artillery and Schools of Gunnery at Kingston and Quebec..... 115,000 00

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Fifty minutes before  
One o'clock.

HOUSE OF COMMONS.

Wednesday, 17th April, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

THE GOVERNOR GENERAL'S REPLY TO THE ADDRESS OF BOTH HOUSES.

MR. CARTWRIGHT: I beg to present to the House the reply of His Excellency the Governor General to the Joint Address of both Houses.

The CLERK read the reply, which was as follows:—

Honourable Gentlemen:

It is difficult for me to find befitting words in which to thank you for the signal and unprecedented honour which has been conferred upon me by this Joint Address from your two Houses.

Regarding as I do the utterances of Parliament as the most august and authoritative expression of the popular sentiment, it affords me unmeasured satisfaction to be thus assured of the confidence and esteem of the inhabitants of the Dominion.

To win the good will of a nation is the greatest achievement open to human ambition, and to learn from you that I hold a place in the affections of the people of Canada is alike the highest triumph and the greatest pleasure I am ever likely to enjoy.

It would not become me to inquire how far this result is to be attributed rather to your own generosity than to any exertions upon my part. It is a happy principle rooted in the nature of Englishmen of all estates to content themselves with the simple discharge

of those duties which lie to their hand, without considering too curiously to what degree their conduct may influence the personal estimation in which they are held by others, and their reward, when it arrives, is often as great a surprise as it is a satisfaction. All that I can say is that, from the moment I came amongst you, I have had but one thought—the desire to render faithful service to our Queen, to the Empire, and to Canada.

If there are no positive advantages to which I can point as having resulted from my administration, there is one boast I can fairly make. No act or word of mine has had a tendency to damp your personal devotion to the Crown, to discourage your attachment to the Empire, or to discredit the system of Constitutional Government under which you live.

I found you a loyal people, and I leave you the truest-hearted subjects in Her Majesty's Dominions. I found you proud of your descent and anxious to maintain your connection with the Mother Country; I leave you more convinced than ever of the solicitude of Great Britain to reciprocate your affection, of her dependence on your fidelity in every emergency. I found you men of various nationalities—of English, French, Irish, Scotch and German descent, working out the problems of Constitutional Government with admirable success; I leave you with even a deeper conviction in your minds that the due application of the principles of Parliamentary Government is capable of resolving every political difficulty, and of controlling the gravest Ministerial crises, to the satisfaction of the people at large, and of their leaders and representatives of every shade of opinion.

When I resign the temporary Vice-royalty with which I have been invested into the hands of my Sovereign, I shall be able to assure her that not a leaf has fallen from her Maple Chaplet, that the lustre of no jewel in her transatlantic diadem has been dimmed.

Thanks to the opportunities afforded me by the liberality of Parliament, I have been enabled to traverse the fertile regions of your North-West, to appreciate your inexhaustible resources, and to scan the vast expanse of your territories from the Atlantic to the Pacific. The speeches to which you refer in such flattering terms have been but the natural, the irresistible exclamations evoked by the sights I have beheld.

Closely associated with me in the discharge of all my duties has been the Lady to whom your Address refers in so kind a manner. Moving amid a society, where the proverbial gallantry of Frenchmen combines with English and Celtic chivalry to create in every Canadian home an atmosphere of purity and refinement, she naturally regards the six years she has passed amongst you as one of the happiest periods of her life, and I am commissioned to convey to you her warmest thanks for the good wishes you have expressed in her regard.

In conclusion, allow me to assure you that I shall esteem it one of the greatest privileges of my future life to watch the progressive development of your prosperity, to advocate your interests in the British Parliament, and to confirm our fellow-countrymen at home in their conviction of the high degree to which Canada is destined to contribute to the welfare, the strength, and the renown of the British Empire.

## CANADA PACIFIC RAILWAY SUPPLIES.

## QUESTION.

MR. BUNSTER enquired, Whether the Government will take what rails and iron may be required for the construction of the western section of the Canada Pacific Railroad from a company which will manufacture the same at Nanaimo, and supply them as cheaply as they can be imported from abroad?

MR. CARTWRIGHT: I have no doubt that if the rails are as good and as cheap as they can be got elsewhere, the Government will have great pleasure in patronizing the establishment my hon. friend refers to.

## CASCOMPEQUE HARBOUR.

## QUESTION.

MR. PERRY enquired, Whether it is the intention of the Government, during next summer, to appoint a Commission to examine and report on the best means to be adopted for the improvement of Cascompeque Harbour in Prince Edward Island?

MR. CARTWRIGHT: I understand that this matter is under consideration, and if the hon. gentleman wants any more explicit information, I would ask him to renew his question in the course of a couple of days.

## POSTAL FACILITIES AT LAVELLEE CORNERS.

## QUESTION.

MR. BOURBEAU enquired, Whether it is the intention of the Government to open a Post Office at the place called "Lavellee Corners." on the line of the South Eastern Counties Railway, at the intersection of the said railway with the front road of the 9th and 10th ranges of the Township of

MR. CARTWRIGHT.

Grantham, in the Parish of St. Germain de Grantham, County of Drummond?

MR. HUNTINGTON: I may say, that this matter was brought to the attention of the Government last year, but is still under consideration.

## MEASUREMENTS OF SHIPPING.

## QUESTION.

MR. KILLAM enquired, Whether the Government have learned that an arrangement has been made between Spain and the United States under which the measurement of the Shipping of the United States is accepted in the Ports of Spain and Cuba, for the purpose of collecting tonnage duties; and whether any steps have been taken by the Government to place Canadian vessels upon an equal footing?

MR. SMITH (Westmoreland): I may say, to my hon. friend that the Government have no official information that any arrangement has been come to between Spain and the United States, by which the measurement of the United States is recognized by Spain; but they have reason to believe that there is such an arrangement, and steps have been taken with a view to bring about—if that is the case—the same arrangement between England and her colonies and Spain.

## DALLAS AND STONEWALL POSTAL FACILITIES.

## QUESTION.

MR. SCHULTZ enquired, Whether it is the intention of the Government to establish Post Offices at "Dallas" and "Stonewall," in the Province of Manitoba?

MR. HUNTINGTON: I may state that, as the hon. gentlemen knows, with regard to one of the Post Offices to which he alludes, the matter has been referred to the Inspector, from whom no report has been received; but as regards the other, the Inspector's report has been received, though no determination has as yet been arrived at.

## RED RIVER IMPROVEMENTS.

## QUESTION.

MR. SCHULTZ enquired, Whether it is the intention of the Government to light and buoy the navigable mouth of the Red River, in the Province of Manitoba?

MR. SMITH (Westmoreland): This subject is now engaging the attention of the Government, and information is being acquired; and if it is found necessary, in the interest of shipping, to light and buoy Red River at its mouth; this will be done in the course of next season.

## QUESTION OF PRIVILEGE.

MR. GIBBS (South Ontario) said that, before the Orders of the Day were called he desired to move the adjournment of the House, in order that he might bring before the attention of this House and the people of this country certain articles which had appeared in some of the newspapers of the country animadverting on the conduct and scenes which occurred in this House during the memorable night of Friday last and Saturday morning. He alluded to articles which had appeared in the *Daily Globe* yesterday, Tuesday, in the *Montreal Herald*, in the *London Daily Advertiser*, and in the *Hamilton Evening Times*. He dared say that some of these articles, of any note, had been read by some hon. gentlemen, but in case they might not have been read by all the members of the House, he might be obliged, before he closed, to read short extracts from each of these newspapers in order that he might not misrepresent or misstate what appeared in them. It was desirable, he thought, whatever might be said on the subject of bringing any accusation—if accusation it might be called—against the writers or proprietors of these papers, that it should be stated in exact and the clearest possible terms, so that there might be no misrepresentation with reference to the important matter to which he should now call the attention of the House. He took it that the character of every public man in this country was not a matter simply affecting himself, his own per-

sonal honour and his own personal reputation; but it should be, and he had, no doubt, was a matter which was dear, not only to the members of this House, who were, perhaps, more interested in the matter than anybody else, and not only to the interests of the constituents which they represented individually, but also to the whole people of the Dominion. He regretted that these articles had appeared in the newspapers for several reasons. One reason was, that if the statements which were made in these papers had been true, it would have been painful, not only to the gentlemen whose characters were attacked—as in the case of the hon. member for Kingston—and to the gentlemen in this House who were the followers of the hon. gentleman, but also to the people of the Dominion of Canada, to know that the prominent public men, whom they sent to represent them here, were guilty of the base conduct which these papers represent them to have been guilty of on the occasion alluded to. There were none of them free from the attacks of newspapers. Public men were accustomed to them. There were articles which appeared in the newspapers from time to time to which public men were unable to reply, and if a public man commenced to reply to any attacks which might be made on him in the newspapers, it might take the whole of the rest of his public life to attend to such attacks, and to reply to them. There were attacks which public men could afford to let pass, they came in the natural order of party warfare; and in some respects they might be legitimate. Every public man must expect to have his conduct not only criticised, but severely criticised by the party to which he was opposed. He did not object to that, and no hon. member in this House objected to it. He would only say for himself that if the statements had been true which were made in these papers, he should have regretted the occasion which also called them forth, and he should have allowed the parties who were affected by them, and slandered by them, to have made the best answer they could to this House and the people of this country. He felt that the

attack which has been made on the leader of the Conservative party, was made, not only on him, but also on the members of this House generally, and he considered it his bounden duty on this occasion to call the attention of Parliament and of the country to it, in his place here, and to give an utter and distinct denial to the truth of the allegation as set forth in the *Toronto Globe*. Before he proceeded any further the House would permit him to read an extract or two from the *Toronto Globe*. This was an editorial article, and the leading one in the issue of the paper of yesterday, and was headed "The disgraceful scene at Ottawa." He should not read the whole of it Sir; but he would come down to that part of it which immediately bore on the subject which he was now bringing before the attention of the House. It stated:—

"We shall not say that there never can be a case when it is necessary to take advantage of all the forms of the House and all the powers of individual physical endurance to prevent a certain course being followed, or to secure a certain object reckoned vitally important by a minority. All acknowledge that such case may occur, though the circumstances must be very peculiar which would justify them or excuse a systematic and continuous talking against time. That there was even the shadow of an excuse for such a proceeding in the case cannot be shown, and indeed is scarcely alleged. The matter under discussion had been fully ventilated. All had been said that could be said, and except for the purpose of delaying business, and of preventing the vote being taken till after Sunday, there was not the slightest reason why it should not as well have been voted on at a reasonable hour on Friday as at the time eventually agreed upon.

"But even though there had been something like a reasonable excuse for persisting in talking against time so as to secure an adjournment of the debate, that would have afforded no palliation whatever for the outrageous course actually pursued by the leader of the Opposition and many of his prominent followers. Even in that case they ought to have remembered who they were and where they were, and ought to have tried at any rate to do their work of obstruction with some measure of decency.

"Did they do so? On the contrary, they vied with each other in proceedings which brought down the House of Commons to the level of one of the lowest saloons.

Now, he thought he might appeal to hon. gentlemen opposite and ask them if whether the conduct of the Opposi-

tion was as described in this newspaper. It was desired on the part of the Opposition, as was well known, to have an adjournment on Saturday morning about three o'clock, but objection was raised to it by the leader of the Administration, and the Opposition acting in its right, pursued the course which was here stated, and endeavoured to discuss the question until from their point of view, it had been fully ventilated. Repeatedly they asked for an adjournment, and repeatedly it was refused, and in self-defence they were obliged to continue the debate; but if the House of Commons was brought down to the level of one of the lowest saloons, he might fairly ask hon. gentlemen opposite, not only who were the cause of its being so brought down to this level, but who were the parties who actually brought it down to this level. Without desiring to attack hon. gentlemen opposite on this score, he did not hesitate for one moment to say, that if ever a party maintaining its rights as an Opposition behaved not only with decorum but with forbearance, and with magnanimity, it was the party which was speaking to the question during the debate of Saturday last, composed of the members of the Opposition of this House. Now, he did not say who the author of this article was, but he desired to state here for the benefit of the hon. member for North York, and for the purpose of giving him an opportunity of denying the writing of the editorial here referred to, that public opinion distinctly pointed to him as having been the writer of this article. He did not make the charge, he simply made the statement.

MR. DYMOND: It is a cowardly insinuation.

MR. GIBBS said that when a man made a cowardly insinuation, he did it in a way in which the party referred to was unable to make a reply. He stated distinctly that the public opinion both in-doors and out points to the hon. member for North York as the writer of this article.

Some HON. MEMBERS: No, no.

MR. GIBBS: Now, this may be a mistake and it may not. That

may be a mistake, or it may not be; he may have inspired it, or he may not; but I make the statement in order that the hon. gentleman may here, as on former occasions, rise in his place and give a denial to the statement. The article goes on to say:—

“To say that Sir John A. Macdonald was on Friday night somewhat under the influence of liquor would be a grossly inadequate representation of the fact. He was simply drunk, in the plain, ordinary sense of that word. As the night wore on, he became still more so, and from six to eight on Saturday morning he was, to quote the conventional language usually employed on such occasions, ‘thoroughly laid out,’ and had to be hid away by his friends; if not in shame, at least in pity, and as an absolute providential proceeding.”

Now, if Sir John A. Macdonald has been in the condition to which this article refers, I would not have risen to make any defence. But what are the facts? I had several communications with Sir John A. Macdonald during the night referred to, between ten o'clock in the evening and six or seven o'clock on the following morning; and I state here that if he was in the condition referred to by this newspaper, then the hon. member for South Ontario was in the same predicament. About four o'clock in the morning, feeling that the debate was to continue through the whole night, I was obliged to take some refreshment. Sir John A. Macdonald was then giving directions to those who were to speak on this side, and citing treatises bearing on the question, which would enlighten the House. I am sorry Sir John Macdonald is not in his place to defend himself, but so far as he is concerned, I take upon myself to say that this article is a wilful and unfounded statement. Not only is it a slander on himself, but it is a foul calumny on the members of the House of Commons generally, because it affects the standing of every hon. member.

MR. DYMOND: No; no.

MR. GIBBS: The hon. gentleman may say “no, no,” and I hope he will have an opportunity of getting up and stating whether he is the writer of that article. I hope he will have the manliness to rise in his place and contradict my statement if he can. Then

this article goes on to refer to other gentlemen present, who will answer for themselves. We are not teetotalers on both sides of the House. I am not one myself, and I claim the right to take any refreshment I choose; but no one can ever say that I took too much. If, however, the hon. member for Kingston was in the condition which this article says, then I was in the same condition myself. Between the time that Sir John Macdonald retired to rest, and when he made his re-appearance in the House at half-past four, I know nothing, and of that I am not going to speak; but I believe he was in a room of this building while the discussion was going on. I am glad to find there are other newspapers in the country which have not taken the same view of the proceedings of the House that night. I allude particularly to the *Montreal Witness*. I think if there is a paper supporting the views of temperance people, generally, and which is desirous of making their views felt, it is the *Montreal Witness*; and I am convinced that, if Sir John Macdonald had been in such a state, that paper would not have hesitated to make use of the argument to affect the feeling of the country against the Conservative Opposition. The *London Advertiser*, speaking of the “Disgraceful exhibition,” refers to the member for Three Rivers, and then refers to the hon. member for Victoria (Mr. Campbell) appearing on the floor of the House in a beastly state of intoxication, beginning to shout and gesticulate like a madman. It also refers to the hon. member for King's New Brunswick, saying he appeared to be in a very disorderly condition, and commenced to read from books in a serio-comic way. Now, I have only to say, that, if ever the hon. member for King's made a good speech, it was upon the occasion referred to. Gentlemen, in the position he was said to be in, are not generally able to make such speeches as he did on that occasion. I shall not read what the *Montreal Herald* says, nor what the *London Advertiser* says. These papers have obtained prominence for publishing scandals; some newspaper correspondents, indeed, think it necessary to send a sensational article every day.

I now leave the matter with the House to take such action as it may see fit; for my own part I pronounce the article in the *Globe*, so far as Sir John A. Macdonald is concerned, a foul slander.

MR. KIRKPATRICK said he believed there was no right thinking member of the House who would not regret that there should have been any occasion to introduce such a subject as this; but when they found an article in a leading paper of the Dominion, such as the *Daily Globe*, commenting on scenes in the House, which had a tendency to disgrace members of both sides of the House, and lower them in the estimation of the people, he thought it deserved some consideration. It was a great pity such an attack had been made because it would tend to lower the Legislature, not only in the eyes of our countrymen, but across the lines, and even in Europe; but when they knew that the statements contained in that paper were false, he thought no other course was open to him than to rise in his place and state what he knew of the facts. He saw the hon. member for Kingston several times during the night, and he was perfectly sober. The hon. gentleman had not to be led away by his friends, but was advised to take that rest which exhausted nature required. He (Mr. Kirkpatrick) could therefore state most unquestionably that the article in regard to the hon. member was most unqualifiedly false.

MR. LANGEVIN said he never deserted his post during the whole of that night, or the following day and he was constantly in communication with Sir John A. Macdonald. About half-past seven or a quarter to eight he said to the hon. member for Kingston: "You have not been sleeping during the whole night; you had better retire and I will take your place." Sir John A. Macdonald said "If you promise not to desert your post I will go away," to which he (Mr. Langevin) replied: "You may depend that I won't leave the House a single moment." He then asked the hon. member for Kent (Mr. Stephenson) if he could find a place, when Sir John A. Macdonald and he went away together to the room of the

Deputy Sergeant-at-Arms. Sir John A. Macdonald remained there till half-past four in the afternoon, when he was sent for in connection with negotiations which were going on to have the House adjourned at six o'clock. These were the facts of the case. During the whole time he was in communication with Sir John A. Macdonald he was as sober as he (Mr. Langevin), and he did not suppose that any hon. gentleman would say that he was not a sober man. The article in the *Globe* was a slander of the worst kind.

MR. MCDUGALL (Three Rivers) said as his name had been brought into this question, he might be permitted to remark that the writer and inspirer of the article in the *Globe* must be both blackguards and liars so far as he was concerned. He was not a teetotaler, but he was not in the habit of getting intoxicated, and if ever there was occasion on which he was careful in regard to taking any refreshment it was that night, because it was his desire to address the House on the subject which was being discussed. The other side of the House did not think proper to listen to a serious speech, and he had to go on amidst all the noises made by gentlemen on the opposite side—he thought they were scarcely entitled to be called gentlemen.

MR. SPEAKER: Order.

MR. MCDUGALL said that if these gentlemen, through their newspapers, published such calumnies, it was only a mere Parliamentary expression to call them not gentlemen.

MR. SPEAKER said the hon. gentleman was entirely out of order.

MR. MCDUGALL said he would bow to the Speaker, but he must say that the writers and inspirers of these articles were liars and blackguards. The article which was quoted stated that he went down to the House in a perfect state of inebriety, and talked the greatest nonsense in the world. Now, owing to the noise, it was with the greatest difficulty he could make hon. gentlemen opposite hear him, and he did not suppose the reporters in the gallery could hear him. How, therefore, could the writer of the arti-

He tell whether he was speaking foolishly or wittily. Besides, he spoke for the most part in French—except when the interruptions became so preposterous, and he addressed himself to the Speaker to obtain order—and there were ninety-nine chances to one that the writer of the article did not understand that language. He spoke for the most part in French, until the interruptions became uproarious, and, whether the hon. gentleman was acquainted with the language or not, he (Mr. McDougall) would like to know whether there was any wit in the hon. gentleman enabling him to judge of the wit of other people. He (Mr. McDougall) fancied that he knew what humour was just as well as any other man in the House; but the man who wrote that article had no sense of humour, when he said in the newspaper that he (Mr. McDougall) always talked nonsense. He did not always talk nonsense.

MR. HOLTON: Only occasionally.

MR. MCDUGALL said many of the expressions he used might not have been pertinent to the subject of the speech, but still they were suitable to the occasion, and the humour of the hon. gentlemen on the other side of the House. He gave a flat denial to these calumnious articles with regard to himself. He knew how he was, and the exact way in which he wished to treat the subject. The scene in the House had been much used in the Press, and it was easily seen what these calumnious reports were written for. He contended that the "row" in the House on Friday night and Saturday morning was brought about by the obstinacy of the Government party, and by the obstinacy of the leader of that party. He should throw the blame upon him, because he had the control of the House, but refused the adjournment. The attempt to throw the blame on the Opposition was done with a view to influencing the Quebec elections, and the elections of the Dominion Parliament later on. He wished to throw back the blame upon the really guilty party; there could be no question that the gentleman who made the caterwauling and other unseemly noises were on the other side

of the House; and when the party in Opposition was treated in that way, was it to be expected that they were to quietly submit to it? There was no preconcerted arrangement when he made his speech or after it. He rose with the intention of speaking for ten minutes, but not being able to get a hearing, and it being the feeling of his friends on that side that he was being unjustly treated, he retaliated by taking up a much larger amount of the time of the House. They knew that it did not make the slightest difference, they knew what the vote would be, with the ordinary mechanical majority of the Government. They never expected to influence, by their eloquence or arguments, one single vote. However, they did influence one vote; they drove the hon. member for South Bruce (Mr. Blake) out of the House. They did not hear his voice during the debate, and knew nothing of what his views were on the subject; yet he was one of the most able men in this country, or any other country, speaking seriously, to express an opinion upon such a subject. They did not get that opinion; they did not even get his vote. So that they did accomplish something; they drove the only Constitutional lawyer on the Government side out of the House, and he might add, that the Opposition intended to make as much use of this fact, as an argument, as much as possible. They also saw that the hon. member for Chateaugay did not express an opinion.

MR. SPEAKER said the hon. gentleman must speak to the question before the Chair. He was going into entirely different matters.

MR. OUMET said his name having been mentioned by the hon. member for Three Rivers (Mr. McDougall) he desired to say a few words upon this question. He was with the hon. member on Friday night, and was told by him that he intended to speak on the question before the House. Between twelve and one o'clock the hon. member submitted his arguments on the question, and they discussed them together. The hon. member was quite as sober as any man could be, as he (Mr. Ouimet) was himself. He

was very happy to confirm what had been said both with respect to the really able speech delivered by the hon. member for Three Rivers, and as to his being perfectly sober at the time, and he felt that he could do this without bearing false witness against his neighbours.

MR. DOMVILLE said his personal reputation was at stake, and he did not think that any member of this House would give him a bad character, even if they happened to be opposed to him in politics. But a newspaper had an article containing the following:—

“Domville turned up at six a.m., after having slept off a strong potation, and took his seat beside Plumb, who had also slept a great part of the night in his place, and looked as if he likewise had been afflicted with the prevalent complaint.”

The writer went on further to say:—

“Mr. Méthot gave way to Domville, at 8 a.m., who stood up with his garments in such a disordered condition that he was met by cries of ‘Button up your pants.’ ‘Shame,’ etc. Having buttoned up, Mr. Domville commenced to read from books, and in a serio-comic way to discuss the constitutional question.”

This was the *London Advertiser*. He held that such a newspaper was not fit to go into the house of a decent family. It disgraced this House if it was received into the Library. If the paper did not hold itself responsible for that statement, it should be contradicted at once; if it did hold itself responsible, the reporter, or whoever gave the information, should be driven out of the gallery. It should be remembered that the reporters were here on sufferance, and although he did not intend to say anything against the Press, as he had always received the greatest courtesy from its members, and believed it was an institution of the greatest possible use, still he held that those who degraded the profession in the way the correspondent of the *London Advertiser* had done, should be expelled from this House. The newspaper said he was met with yells when he rose to speak, while, as a matter of fact, the House was very quiet when he spoke. He remarked, on sitting down, that if the House had not treated him with such courtesy he would have gone on longer,

MR. OUMET.

but said it was impossible for him to trespass longer on their time at that late hour of the morning especially when the matter was only one of keeping up time. He defied any hon. member, if there was one who wished to do it, to say that the description of him contained in that paper was in any way correct. He thought this a very fitting occasion to ask the Speaker to rule that the bar, where liquor was sold, in connection with this building, should be shut up. It was not only members of the Government, but members of his side (the Opposition) also went there. The country was led to believe that there was no liquor sold in this building. When the change of Government took place, it was proposed that the bar should be done away with, yet, although that vote passed unanimously, that bar was still kept open. If no liquor was sold there, there would, perhaps, be no reason to make these charges, and certainly it would help to promote sobriety among those who might have a weakness that way. In the next place, the actions of hon. members would not be always watched, when they retired for a little refreshment or rest, if these lobbies were kept clear. As regards the right hon. member for Kingston, he would vouch to this House that the right hon. member was not in the state mentioned, nor was he in the least affected by spirituous liquors of any kind. Every hon. member should vote down this grave imputation against the character of the right hon. gentleman. He hoped the Speaker would seize this occasion to order the closing up of the restaurant below, in order to free members of this House from being continually under the eyes of certain spies who communicated false impressions to the Press.

MR. SPEAKER said he had given instructions to close the restaurant, and had not been aware, up to the present, that they had been infringed.

MR. CAMERON said he felt it his duty to say, with respect to the hon. member for Three Rivers, that, after the hon. member had finished his speech, he (Mr. Cameron) had walked up and down the corridors of this



House with him for a quarter of an hour, during which they discussed several points connected with the question then before the House, in all seriousness and gravity; and not only that, but also conversed on the case then being argued in the Supreme Court, the hon. member explaining the point before the Court, and the line of argument taken; and he (Mr. Cameron) could assert that the hon. member was as sober as any hon. member of this House, and as well able, in all seriousness and gravity, to discuss the Quebec question. He would say a few words about the right hon. member for Kingston. He believed the refutation of the falsehood, the infamous falsehood, which was published in this newspaper could come as well from hon. gentlemen on the Ministerial side as from those in any other part of the House, as they could equally well bear testimony to the utter falsehood of the charge. He, himself, had been in the right hon. gentleman's company the whole night; had discussed the matter under debate with him; and had conversed with him a few minutes before he left, and had no hesitation in saying that this charge was a vile, infamous slander. It, however, was part of the general policy of slander pursued by the Government party. He would refer to another article, of the 6th April last, in the *Morning Advertiser*, which led the line of calumny about the right hon. gentleman. This article stated that the evening previous to the 6th, the right hon. gentleman was drunk and reckless of all consequences. On that day, the right hon. gentleman was present in this House, in the evening he dined at the Government House, and any hon. member who was then present would know the charge was an utter falsehood. It could not have meant the 4th April, for on that evening the right hon. member was on the floor of this House trying to put into shape the Stamp Bill of the hon. the Minister of Inland Revenue. The whole of this policy of calumny, now adopted by the Reform Press, was simply an attempt to influence the temperance vote against the Conservative party. He was glad to have had this opportunity

of exposing the foul, infamous, unfounded, and slanderous articles which had been published from time to time on various members of this House.

MR. PLUMB said, as one of those included in the attacks respecting the scenes on Saturday, he felt it his duty to say a few words. While the hon. member for Three Rivers was addressing the House, the noise was so great that nobody could tell whether it was a coherent or an incoherent speech. The leader of the Government stated distinctly that he could not control his followers, which statement excited them to continue their unseemly interruptions. When he (Mr. Plumb) rose to speak, the interruptions increased. He had sat near the right hon. member for Kingston the whole night, and could bear testimony to the statements.

MR. SPEAKER said he would suggest to the hon. member that he was not giving a personal explanation.

MR. PLUMB said he intended to show that the charge of disorderly and riotous conduct brought against members of the Opposition was without foundation. So far from the right hon. member for Kingston not being entirely himself, and not competent to direct the affairs of his party, the very reverse was the fact, and he endeavoured to cause his followers to keep order. The right hon. gentleman was perfectly well aware that, with the unseemly opposition which they met with from hon. gentleman opposite, they felt that unreasonable tyranny was being exercised against them, and the right hon. member for Kingston endeavoured to prevent his followers doing what they might have very properly have done, retorted upon hon. gentlemen opposite. The whole attack made in the Press was entirely unfounded in fact, and he hoped there were some hon. members opposite who had sufficient regard for the reputation and character of the public men of this country to rise and corroborate the statements made in the denial of the charges.

MR. CHEVAL said he would ask to be forgiven for what took place some time since. The hon. member for Vancouver had then challenged him to go to Room No. 13 for interrupting

him by means of music. He had at once done so, and he found the hon. gentleman seated in a chair with a knife in his hand. He was a little scared, but knowing that the hon. member was a gentleman he shut the door. He said to the hon. gentleman: "You sent me a paper, asking for an explanation. What do you wish?" Mr. Bunster replied: "Why did you send me a blank card? You insulted me by not putting your name to it." He then said: "I never sent you any card at all." The dialogue continued, as follows: Mr. Bunster: "The page who brought it said it was from you." Mr. Cheval: "Send for the page, and if he says I sent you the card, I will pass you for a mean man and a mean pup." Mr. Bunster: "Why do you play music when I address the House?" Mr. Cheval: "I never played any music when you addressed the House to-night." Mr. Bunster: "You did." Mr. Cheval: "If you deposit \$1 with a friend, I will deposit \$100, and if I do not at once prove that I did not then play any music, I will forfeit my \$100." Mr. Bunster: "You did do it." Mr. Cheval: "I did not." Mr. Bunster: "You lie." Mr. Cheval: "I don't lie, but you do lie." Mr. Bunster then struck him on the cheek, and he caught hold of the hon. gentleman, who hit him again. He did not blame the hon. gentleman or wish to insult anybody. Afterwards, the hon. member for Kingston said to him: "Cheval, your face is split." He then passed his hand over his face, and replied that this was not the case, though he thought that his face was split into three faces, he was so scared.

Mr. SPEAKER: Does the hon. member mean to move any motion to refer to any statement in a newspaper.

Mr. CHEVAL: I would like to have this in *Hansard*. I do not blame the hon. gentleman.

Mr. WRIGHT (Ottawa County) said he deeply regretted the unpleasant occurrence which took place the other night; as to him it had been indescribably painful. He wished, however, to see fair play. He remembered that at a Conservative meeting in his county, a gentleman had accused Mr.

Mr. CHEVAL.

Mackenzie of being a wine-bibber and a drunkard. He had at once stated that, to his certain knowledge, this assertion was completely false. Regarding the statement about the right hon. gentleman for Kingston, he would say that it was his pleasure that night, with his hon. friend from South Grey (Mr. Landerkin), to meet that hon. gentleman, he thought at four o'clock in the morning, and he believed that the hon. gentleman (Mr. Landerkin) would corroborate his statement, that the hon. member for Kingston was not intoxicated. Indeed, the hon. gentleman was perfectly sober. The same remark applied to the hon. member for Three Rivers, who had previously told him that he intended and wished to speak on this subject then under discussion, and to enlarge on certain points relating to the interests of Lower Canada. He had sat beside the hon. gentleman for a great portion of the night, and he knew that he (Mr. McDougall) was not in a state of intoxication. The whole scene was indescribably painful, and he might say that it degraded the House; and the highest lady in the land was a witness of their humiliation. He trusted and hoped that such a scene would never be repeated in the House. Between 6 and 7 o'clock in the morning in the restaurant, and at the same table with himself and the hon. member for South Grey, were the hon. member for Compton, the hon. the Minister of Marine and Fisheries, and the hon. the Premier. While there, the right hon. member for Kingston came and sat down at the table and breakfasted with them. To the best of his recollection none of those then present took anything stronger than tea or coffee. The right hon. member for Kingston and the hon. the Premier, meanwhile, discussed the matter of adjournment. He never saw the least sign of intoxication on any gentleman present at the table, and his hon. friend from Three Rivers was as sober that morning as he was this afternoon when he spoke in relation to this matter.

Mr. ORTON said he could not refrain from expressing his great indignation at what he might characterize

the ruffianly rowdyism of the article of the *Globe* in question. He was sorry to say he had to relate an occurrence which would not reflect very creditably on two hon. members of the House. Shortly after the hon. member for Victoria had stated in his rather demonstrative way, his indignation at the conduct of the hon. members on the Government side of the House, on which side he (Mr. Orton) was sitting at the time, he heard the hon. the Minister of the Interior say, in a very loud voice, that the hon. member for Victoria could not have conducted himself in that manner unless intoxicated, and further, "What else can you expect when his leader is in the same condition." The hon. gentleman (Mr. Mills) at the same time looked up to the reporters' gallery; and the hon. member for North York, with the hon. the Minister of the Interior, repeated and reiterated the same statement. If the hon. member for North York was not the writer of this article, it was fairly chargeable that these two hon. members gave countenance to it. He would not attempt to characterize the motives which incited these hon. gentlemen to make that loud and unseemly remark concerning another hon. member of the House. He (Mr. Orton) felt indignant at the unseemly conduct which then took place. A few minutes previous to the occurrence he had mentioned, the hon. member for Kingston had asked him if he intended to speak and he had replied in the affirmative; and the hon. gentleman had then said that he might follow the hon. member for Kings. About the same time the right hon. gentleman congratulated the members of the Opposition on the decorum they had observed during the debate; and he (Mr. Orton) could testify and solemnly declare that if the right hon. gentleman was intoxicated at the time, there was not a sober man in the House. Two or three minutes afterwards, the remarks he had mentioned were made. He had, at the time, asked the hon. the Minister of the Interior what he meant, and the reply was: "I mean what I say." He then told the hon. gentleman that his statement was not true.

MR. LANDERKIN said that it had not been his intention to make any

observations respecting the subject under consideration. He never liked, in fact, to discuss such matters, as he thought that this was not a portion of his public duty. He was well aware that public journalists, in the discharge of their duty, might find it necessary to scan both the public and private records of members of the House. How far the journalists were justified in doing so, he would not say. He had not desired to say anything in this connection, but as he had been appealed to by the hon. member for Ottawa County, to make a statement of the facts that occurred on the night in question, he would comply. He had gone down to take a cup of tea on the morning in question. It was true that the right hon. member for Kingston was there, and also quite true with the hon. gentleman, and would not pronounce whether he was sober or not, because he (Mr. Landerkin) had not investigated the subject. He, however, was never more astonished in his life, than when he heard the hon. member for South Ontario speak in the manner he had done that afternoon. He had always regarded this hon. gentleman as being thoroughly consistent and straightforward, but when he denounced this article as being a calumny and a slander on the hon. member for Kingston, he (Mr. Landerkin) was startled, as, no doubt, was the hon. member for Ottawa County, because a Senator came to their table and said that he had been accused by the hon. member for South Ontario of getting the hon. member for Kingston drunk. The Senator had made this complaint publicly, and had also stated that he was not guilty of doing so, and that Brother Gibbs had better mind his own business.

MR. GIBBS (South Ontario): I have just simply to say that this is all news to me.

MR. WRIGHT (Ottawa County): A good deal of conversation passed, but I really have no recollection of any such statement.

MR. POPE (Compton) said that there was no foundation whatever for the charge made in the *Globe* against the right hon. member for Kingston, as he was personally aware. He

thought that hon. gentlemen opposite could not but corroborate this statement. He did not think that much would be gained by publishing such reports and by trying to degrade the House in this matter. On several occasions he had heard it whispered in the lobby, that the right hon. gentleman was taking too much, when he knew that the hon. gentleman who said so ought to know better, and that the right hon. gentleman had not taken a single drop. These statements were made for effect; but he did not think that the object in view would be gained.

Mr. BUNSTER said the right hon. gentleman had said to him in the morning that it was necessary to have some refreshment if things were going on in that way. The hon. gentleman (Sir John) said, at the breakfast table, what was the proper course to pursue. He (Mr. Bunster) said that a paper which was taken by some few respectable people was in the habit of indulging in wilful lies, and it might be properly distinguished as that villifying rag of the Press.

Mr. MILLS said it was with great reluctance that he rose on this occasion, and he would not have done so had it not been for the observations that had fallen from the hon. member for Centre Wellington (Mr. Orton), who come across to the Government side of the House to see what he could see and hear what he could hear. After giving his recollections of what took place on Saturday morning, he stated that the hon. member for Victoria (Mr. Campbell) came to that side of the House, used profane language to the First Minister, and conducted himself generally in such a manner that it was suggested that the Sergeant-at-Arms should interfere. When the member for Victoria (Mr. Campbell) was being taken out of the House the hon. member for Kingston looked up, and he (Mr. Mills) then said, "Look at the condition of the leader of the Opposition." He did not say the hon. member for Kingston was drunk, and he would not say anything more on this occasion, notwithstanding the fact that if he chose he could speak from personal knowledge.

Mr. POPE.

Mr. ORTON said that in going to the other side of the House, as stated by the hon. Minister of the Interior, he was not influenced by any unfair motives. While in the reading-room he heard an unusual noise in the House and stepped into the Chamber, by the door on the other side, to ascertain what was the matter—not for any dishonourable purpose.

Mr. PALMER said he took no part in the debate of Friday last, but hearing it stated that the right hon. member for Kingston was in a state of intoxication, he endeavoured, by every means in his power to discover whether the imputation thrown out by the other side was well founded or not. He entered into conversation with Sir John A. Macdonald, and he had no hesitation in saying that the charge made against him was utterly without foundation. He was sorry to hear the hon. Minister for the Interior insinuate that his hon. friend from Three Rivers was in an intoxicated condition. After the testimony which had now been given by hon. gentlemen, he thought it was the duty of the hon. Minister to apologise to the House for the statement he made.

Mr. MÉTHOT said that, as the hon. the Minister of the Interior had chosen to point out the exact time when the right hon. member for Kingston was in an intoxicated state, he wished to remark that, at the precise moment mentioned, Sir John A. Macdonald was asking him (Mr. Méthot) to address the House. He was, therefore, in a position to state that the right hon. member for Kingston, at the time alluded to, was in a state of perfect sobriety.

Mr. DYMOND: I should not pretend to notice the allusions unwarrantably made regarding me by the hon. member for Centre Wellington—a gentleman who admits that he comes to this side of the House to overhear what is said—

Mr. ORTON: No.

Mr. SPEAKER: The hon. member for Centre Wellington distinctly denied that he went for that purpose.

MR. DYMOND: I will put it differently. I do not think it worth my while to notice gentlemen who, while complaining of an injustice done their leader, will not allow a man, against whom insinuations have been thrown the whole afternoon, to say a word. We want fair play. I say it is not worth my while to notice the observations of a gentleman who has admitted what the hon. member for Centre Wellington admitted in his remarks this afternoon.

MR. ORTON: I wish to call attention to the fact that I neither implied nor stated that word.

MR. SPEAKER: This is a very unpleasant affair, and, I hope, hon. members will preserve some order. The last statement made by the hon. member for North York may mean anything or nothing. It cannot be held to be parliamentary, for it merely says that the hon. member for Centre Wellington has admitted what he has admitted.

MR. DYMOND: In his opening remarks this afternoon, my hon. friend from South Ontario chose to say that public opinion attributed a certain article in a daily paper to me. If he, or any other hon. member of this House, has the courage or manliness to say that he conscientiously believes or charges me with doing anything that is unworthy of my character as a member of Parliament, he shall have the satisfaction he has a right to demand. No man in this House believes me slow to defend myself, and no man in his heart of hearts believes that I would be guilty of meanness, or shuffling, or equivocation. There are plenty of gentlemen on the other side of the House who may find great fault from their point of view with my political conduct, but they do not believe me to be guilty of meanness, shuffling or equivocation; and I am sure if I were to appeal to my hon. friend from South Ontario, he would be the last of all to do so. But I am not called upon to defend myself with reference to this article; no one has charged me with having written it; no man has dared to get up and say he believed I wrote it. I shall not defend the article; the *Globe* can

take care of itself, and it is a pretty high tribute to the power of the *Globe* that so many gentlemen are ready to wince here at its lash. I take this opportunity—than which no better occasion could present itself—to stand on my privilege as a member of this House and a public journalist, in refusing to be called to my feet to answer any insinuation, any suggestion, any imputation which hon. gentlemen may choose to throw against me; and having said that I will say no more.

MR. GIBBS (South Ontario): I have nothing more to say. I desire to withdraw the motion for the adjournment of the House.

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

#### NAMES AND SALARIES OF OFFICIALS.

##### MOTION FOR RETURN.

MR. MCCARTHY moved for a return of the original papers made and signed by the deputy heads of the different public Departments, purporting to be made in obedience to the order of this House of the fifth day of March, 1877, as follows:—

“The names of persons appointed to office between 1st January and the 7th of November, 1873; the names of the officials whose salaries were increased during the same period; the names of those so appointed whose appointments were cancelled subsequent to the 7th November. A statement showing whether the positions which were filled up by those whose appointments were cancelled have remained unfilled or have been since filled up—and if so when and by whom—and whether the salaries of those officials which were increased during the period named have been since reduced or increased, and showing the reduction or increase in each office respectively.”

He said he desired to state why he had asked for the production of the original documents. The order which he referred to in the motion was made on March 5th, of last year, but the return purporting to be in obedience to that order was not brought down during the Session of the House. In the month of September following, a return was brought down, printed, sent to the newspaper Press throughout the country, and, he believed, furnished to hon. members of the House. Now, on

looking at that return, he was amazed to find the manner in which the order of the House had been obeyed. He understood that orders of the House ought to be obeyed implicitly, and that it did not comport with the authority of the head or deputy head of a department to alter or mutilate these orders to suit themselves. But he found from the very first page of this return that the order given in this case, which was perfectly plain and explicit, had been altered as far as the Governor-General's office was concerned, and that the return sent was not in pursuance of the direction of the House. The latter part of the order which was the most important, had been entirely altered so as to make it apply simply to the person who held an office. Now the object of this was quite apparent. When an official was superannuated, or resigned, or died, there would appear to be a saving in the expense of these departments, whereas the reverse was the case. Take page 60 of this return which contained a recapitulation with regard to the Department of Customs, and what did they find? That these officials who had been appointed during the last months of the late Government—from the 1st January to the 7th November—and where salaries had been increased during this period, appeared to be in receipt of \$143,630, whereas, according to the return brought down, it appeared that these individuals were only receiving from the Public Treasury the sum of \$347,850. This remarkable and extraordinary saving was made out by taking credit for all the superannuations and resignations which had taken place since the present Government came into power. He did not wish to say anything unparliamentary or improper, but the result of this was that the people and the Press of this country were imposed on. An impression was created which the facts did not warrant. The hon. the First Minister went down to the county of South Ontario while the candidature of the present representative of that constituency was going on, and proclaimed that the late Administration had, during their late years of office, created 230 appointments prior to the 1st of July, and 274 new appointments

Mr. McCARTHY.

after the 1st of July; that they had increased the salaries of 360 officers up to the 1st of July, and 973 after the 1st of July, which, he said, necessarily imposed a great burden on the shoulders of the people. The hon. Premier went on to say that \$52,286 had been expended on these appointments, and that he had taken the liberty of cancelling them. He (Mr. McCarthy) took upon himself to doubt the strict accuracy of that statement, as the figures employed by the First Minister were incorrect. He did not mean to say that what the Premier had stated was false, but he had done what was almost as bad—he withheld a certain amount of information, and suggested a falsehood, which was the next thing to stating one directly and deliberately.

MR. CARTWRIGHT: I think the hon. gentleman is not in order in stating that the Premier of this Dominion suggested a falsehood; and, on his behalf, I deny the accusation.

MR. SPEAKER: It is entirely out of order and unparliamentary to charge an hon. member of this House with a falsehood, unless the hon. gentleman making that statement is prepared to prove it.

MR. McCARTHY said that, whatever he might believe, he would bow to the decision of Mr. Speaker.

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

## After Recess.

### PRIVATE BILLS.

The following Bill was read the third time and passed:—

Bill (No. 72)—An Act to incorporate the Missionary Society of the Bible Christian Church in Canada (from the Senate).—(Mr. Burk.)

VICTORIA ELIZABETH LYON DIVORCE BILL.—(Bill No. 74.)

(Mr. Cameron.)

### THIRD READING.

Order for third reading read.

Motion agreed to on the following division:—

YEAS :  
Messieurs

Archibald,	Macdonald (Kingston),
Bain,	Macdonald Toronto,
Bertram,	Macdougall (East
Blain,	Elgin),
Borron,	Macdougall (East
Bowell,	Renfrew),
Buell,	McKay (Colchester),
Bunster,	Macmillan,
Burk,	McCallum,
Burpee (Sunbury),	McCarthy,
Cameron,	McCraney,
Carmichael,	McGregor,
Cartwright,	McNab,
Church,	Metcalfe,
Cook,	Mills,
Davies,	Mitchell,
Dawson,	Monteith,
Dewdney,	Norris,
Dymond,	Oliver,
Ferguson,	Paterson,
Ferris,	Pickard,
Fleming,	Platt,
Flesher,	Ross (East Durham),
Fraser,	Rymal,
Galbraith,	Scatcherd,
Gibbs (North Ontario),	Schultz,
Gibbs (South Ontario),	Shibley,
Gillies,	Skinner,
Guthrie,	Snider,
Hall,	Thompson, (Haldi-
Higinbotham,	mand),
Kerr,	Wallace (Albert),
Killam,	White (Renfrew),
Kirk,	Wood,
Kirkpatrick,	Young.—6 :
Lande kin,	

NAYS :  
Messieurs

Baby,	Gill,
Béchar, d,	Holton,
Benoit,	Irving,
Bernier,	Jette,
Bourassa,	Lafamme,
Bourbeau,	Lajoie,
Boyer,	Langevin,
Caron,	Lanthier,
Cheval,	Macdonald (Cornwall),
Outhbert,	Malouin,
Daoust,	Pope (Compton),
Delorme,	Robillard,
DeVeber,	Robitaille,
Devlin,	Roy,
Dugas,	Smith (Peel),
Fiset,	Smith (Westmoreland),
Geoffrion,	—33.

Bill read the third time and passed on a division.

BROCKVILLE AND OTTAWA AND CANADA CENTRAL RAILWAY BILL.

(Mr. Galbraith.)

SENATE AMENDMENTS CONCURRED IN.

Amendments made by the Senate read the first and second time and agreed

CANADA VINE GROWERS ASSOCIATION BILL.—[BILL No. 39.]

(Mr. Smith, Peol.)

Order discharged and Bill withdrawn.

STAMPS ON PROMISSORY NOTES BILL.—[BILL No. 4.]

(Mr. Irving.)

CONSIDERED IN COMMITTEE.

Order for House to resolve itself into Committee on said Bill, read.

SIR JOHN A. MACDONALD said he thought the hon. gentleman ought to allow the Bill to stand over until the Government Bill was passed. He thought the Government had almost promised to bring down a complete Bill next Session. It was of very great importance that the law upon this point should be simply and easily understood, but we had already three bills on the subject.

MR. LAFLAMME said the alterations proposed by this Bill were not of a serious character, but were improvements that ought to have been introduced long ago. The Bill related chiefly to the circulation of bills drawn outside the Province, and which were to be paid here, for which there was no provision in the existing law. It also provided for the stamping of bills which were found in possession of executors. He considered the provisions good, and they would not confuse in any way the existing law.

MR. JONES (South Leeds), said it seemed to him that this Bill was putting an additional burden upon the people of this country. A bill drawn in a foreign country certainly could not be stamped, then when they came here a double stamp had to be paid upon it.

MR. MITCHELL said he had stated, on a former occasion, that there ought to be a consolidation of the Stamp Acts. If he required any proof to sustain that position, it would be found in the discussion which had taken place during the last few minutes. The hon. member for South Leeds claimed this bill required double stamps, the promoter said it required only single stamps. There were three Stamp Acts

already on the Statutes, and, in addition, were proposed the Stamp Act of the hon. the Minister of Inland Revenue, and that of the hon. member for Hamilton, now under discussion. The revenue derived from stamps on bills of exchange, promissory notes and the other documents referred to, amounted to the trifling sum of \$200,000, which the hon. the Finance Minister might derive from some other source, and relieve the country from the annoyance and litigation caused by these Acts. He advocated the abolition of the duty; or, if not, the consolidation of the different Acts.

MR. MACDOUGALL (East Elgin) said the 4th section provided that any promissory notes, bills of exchange, etc., being found among the papers of a deceased person, and not properly stamped, the representative could make them legal by affixing double stamps. This was placing the representatives in a better position than would have been the deceased had he lived; and placed the note in an entirely different and better position than that in which it would have been placed had it not been destroyed. The 6th section stated that every instrument liable to stamp duty should be admitted as evidence in any criminal proceeding, though not according to law. If a note were not properly stamped, it had, legally speaking, no existence at all and should not be permitted to be used as evidence. It could not be used as evidence in a civil action, and why should it be allowed to be used in a criminal proceeding?

MR. GUTHRIE said a very large amount of litigation had arisen out of the various Stamp Acts during the last ten years. The time had now come when the Government should consider the consolidation of the whole law. He would go further, and say the law ought to be abolished. The litigation it brought on was so great that it was not worth to the country the revenue derived from it. Although profitable to the lawyers, it was, in the long run, an unfavourable one for the business of the community. He would suggest that the Bill should stand over.

MR. KILLAM said this Bill ought to be discussed in Committee, in order

MR. MITCHELL.

to arrive at a fair understanding of it. He thought the Stamp Act was as fair a mode of levying taxation as could be adopted. It was vexatious, of course, as was all taxation.

MR. CARTWRIGHT said, with respect to the remarks of the hon. member for Northumberland, nothing would give him greater pleasure than to abolish this tax, did the state of the revenue allow it. But he agreed that, on the whole, it was a reasonable and a fair tax.

MR. HOLTON said he was strongly opposed to the statement that the stamp tax was a fair one, as it was a tax on credit and an addition by so much to the interest paid on money. He did not say that in the present condition of the Treasury the Act should be repealed; but he hoped that as soon as the revenue would allow, it would be repealed.

MR. NORRIS said it was unfair that stamps should be required for sight drafts drawn in a foreign country.

SIR JOHN A. MACDONALD defended the stamp tax as being a fair means of collecting a revenue and as falling upon classes who were by no means the poorest in the country.

MR. IRVING said the Bill was intended to obviate certain difficulties which had grown out of the operation of the present law.

House resolved itself into Committee on the said Bill.

(In the Committee.)

On the 1st clause,

MR. McDOUGALL (Three Rivers) said that on the whole legislation as to the stamping of promissory notes had travelled out of the course of the legislation on this subject in Great Britain. We had legislated to give validity to bills that had no stamps affixed when made, but the whole principle of the law regarding promissory notes in Great Britain, where the Stamp Act had been in force for a considerable length of time, was that no bill could be valid unless stamped when made. He thought that the hon. Minister of Inland Revenue should not have abandoned the principle of his Bill which



required the use of stamp paper. He had suffered considerably from the fact that stamps had been placed on bills and irregularly obliterated, and he thought that they should come to some regular legislation on this subject, and not be content with the partial legislation proposed by this Act. It was now really impossible to follow the legislation that took place with respect to promissory notes. The use of stamp paper was the correct system, and the objection that this provision would be prejudicial to rural localities did not lie as post-offices being located all over the country, stamped paper could be easily obtained in all parts of Canada. Under the present system notes were frequently left unstamped, and if the use of stamped paper was compulsory, the revenue would greatly benefit thereby, and it would inure to the convenience and safety of all parties concerned. In such event, individuals who traded in promissory notes would not be exposed to the loss of their amount owing to the committal of a clerical error in the defacement of the stamps. He objected to the whole principle of this law, because it was not sufficient to avoid the dangers that arose in connection with transactions of this character.

Mr. GUTHRIE said a bill or promissory note should be stamped at the time of acceptance or endorsement, instead of when it was paid, because a large amount of revenue would otherwise be lost.

Mr. IRVING said the difficulty suggested was obviated in practice, because no bank would take bills unless a stamp was put upon them. It would be a great hardship to make it compulsory to affix stamps to bills and promissory notes at the time they were drawn, especially in the lumber districts. These bills could be stamped when presented for payment at Quebec or elsewhere, and that was all the Department required.

Mr. MACDOUGALL (East Elgin) hoped the hon. member for Hamilton would allow this clause to remain. There was no danger of the revenue being defrauded, and the provision made would save a great deal of incon-

venience, particularly in cases where a bill drawn in Canada was payable in a foreign country. Of course, it was the law as regarded bills of exchange, but he did not see why foreigners should be placed in a better position than our own people. He thought that if a man purchased goods in Toronto, and offered a draft on Montreal, he should not be in a worse position than if he happened to give a draft on New York.

MR. IRVING said it had been the policy for many years that these foreign drafts passing through the country should not be subjected to the tax of a stamp, and he did not see why a foreign promissory note should not be placed on the same footing.

MR. McDOUGALL (Three Rivers) said that he considered the Stamp Act a very vicious law, that led to great grievance and great loss, and that we should be very much better if we had no such law. They should have a system of stamped papers for making the note, and that would do away altogether with the many mistakes that were now made with regard to obliteration, and there would be no question that the note was properly made. It was really not safe now to deal in promissory notes.

MR. MACDOUGALL (East Elgin) said he would recommend the affixing of stamps on notes to the amount of \$200, and that stamped paper be used for larger amounts.

Mr. McDOUGALL (Three Rivers) said the 4th section was a departure from the principles of the Stamp Law. The law required that the holder of the bill of exchange or note or other instrument should prove that such instrument was not properly stamped when it came into his possession; he immediately rectified the omission. By this section the representative was placed in a better position than would the deceased person have been had he lived, inasmuch as the former was not required to give this proof, but simply to affix double stamps. It was a departure from the law of evidence, which did not permit the evidence of executors, administrators or representatives of deceased persons to be sufficient to

establish any claim which had arisen previous to the death of the principal, but required corroborative evidence. He warned the Committee there might be an imposition on the revenue by adopting this clause. There might be men who were in the habit of negotiating notes and bills of exchange, who, in order to relieve themselves of the payment of the duty, would let the stamping stand over. He knew persons who did not stamp certain notes because they knew the signers would not take advantage of that omission. If those notes were brought into Court, they knew what the result would be. But if found among a deceased person's papers, the result would be different. This was an innovation on the general principle of the law.

MR. CAMERON said a good deal could be advanced in favour of the 4th section. He had been appointed an executor, and among the papers of the deceased were several unstamped notes, which, he was confident, had not been stamped through ignorance of the Act. He affixed the stamps, and the question of his right to do so came up in one of the Courts. The case was, however, arranged out of Court, and no decision called for. He thought it was only right the executor should have the power to affix stamps.

MR. SMITH (Westmoreland) moved that the words "Or for any other holder of such instrument" be struck out.

MR. CAMERON said he believed it would be in the interest of the whole country if the Stamp Acts were abolished *in toto*. The revenue obtained from this source was wholly incommensurate with the trouble and loss, and litigation and difficulty in connection with commercial transactions which were produced by this law; and he had no hesitation in saying that the amount of loss to individuals, and of costs wasted in litigation, arising from the existence of the Stamp Acts, far excelled the amount of revenue derived by the Dominion from the whole stamp system; he was, therefore, in accord on this subject with the hon. member from Northumberland.

MR. McDUGALL.

MR. GOUDGE said he quite agreed with the hon. member for Northumberland that the House should, at a very early day, abolish the Stamp Act.

MR. PALMER said that he was of the same opinion; but, at the same time, as this could not now be done, they were endeavoring to make the law as perfect as possible.

MR. MACDOUGALL (East Elgin) thought the bill should, in the meantime, be passed. The Committee reserving to themselves the power to make such alterations as they thought fit at another stage.

MR. MITCHELL said this measure ought to claim the attention of the Minister of Inland Revenue. The Government should incorporate it with their own Bill. Indeed, if the Finance Minister could devise some other means of raising the \$200,000 realized by the Stamp Act, and abolish the tax altogether, he would confer a greater boon on the country than had ever been conferred by the present Government.

Section as amended *agreed to*.

Bill *ordered* to be reported.

House *resumed*.

Bill *reported*.

House adjourned at  
Forty-five minutes past  
Eleven o'clock

## HOUSE OF COMMONS.

*Thursday, 18th April, 1878.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

SATURDAY SITTING.

MOTION.

MR. CARTWRIGHT, for Mr. MACKENZIE, moved that when the House adjourns this day it shall stand adjourned until three o'clock in the afternoon on Saturday; and that Government measures shall have precedence immediately after Routine Proceedings.

Motion *agreed to*.

## PEACE SURETIES BILL.—[BILL No. 73.]

*(Mr. Laflamme.)*

## THIRD READING

Order for second reading *read*.Motion *agreed to*.House *resolved* itself into Committee on the said Bill.Bill *ordered* to be reported.House *resumed*.Bill *reported*.Bill *read the third time and passed*.

## ELECTION OF MEMBERS ACT AMENDMENT BILL.—[BILL No. 20]

*(Mr. Laflamme.)*

## SECOND READING.

House *resolved* itself into Committee on said Bill.

(In the Committee.)

On the 1st clause,

SIR JOHN A. MACDONALD said that no provision was made for the return of writs on a certain day. This must be done. It had nothing to do with the nomination or polling day. Every election writ must, or ought to have a day of currency, during which it ran. The existence of Parliament could not commence on the issue of the writ, but when the writ was to be fulfilled, and the writs were to be in. The writs for this Parliament were made returnable on the 31st March, and, consequently, this Parliament would not reach its term until the 31st of March, 1879.

MR. LAFLAMME said that the proclamation fixed the time when Parliament was to meet. The day of election was appointed, and the writ was returnable within four days afterwards.

SIR JOHN A. MACDONALD: No, that is simply a direction to the returning officer.

MR. LAFLAMME: The Clerk of the Crown in Chancery informed me that a returning day was never fixed.

SIR JOHN A. MACDONALD said that the Crown had no power to issue a proclamation to fix a day for the

return of the writs, save by this clause. The Governor-General had no prerogative power to appoint such a day, that he was aware of. This might appear in the proclamation, but it was only for the general information of the public. If this provision was struck out, what power would exist for fixing any day whatever? This was not a prerogative, but a statutory right, and it was being struck out.

MR. LAFLAMME said that the Governor-General could not fix such a day, because the Statute declared that these writs should be returnable within four days after the election, which period must necessarily vary.

SIR JOHN A. MACDONALD said that the day for summoning the new Parliament was not fixed; and it was ordered that the writs should be returnable on such a day. In regard to a common writ of execution, the return was fixed for the next term, but before that time came the writ was executed, the sale took place, and the money was paid over, and the return was made. The performance of this duty under the writ must be within that time, which was the extreme limit of the currency of the writ. Within eight days after the reception of the writs for the election of members, public notice of the elections must be given, and four days after polling, the writs had to be transmitted by mail; this was all to be done long before the returning day; but it had nothing to do with the currency of the writs. What the practice of the Clerk of the Crown in Chancery had been, he did not know; but, at all events, if the day for the returns of the writs was put in the proclamation under this clause, the writ was returnable, and should be returnable whenever the Government directed; but they were actually taking away this power from the Crown.

MR. BLAKE said the only objection he entertained to his hon. friend's proposition was, that writs should be returnable on the day of issue; and, he thought, some time should be allowed in order that the most remote districts might be embraced.

MR. THOMPSON (Cariboo) said that he thought the writs for British

Columbia were returnable on the 12th March. Those for Cariboo were not returned till the 1st of April.

MR. CAMERON said his hon. friend had shown that the Returning Officer's powers were at an end before his (Mr. Thompson's) return to the House, and his election was therefore a delusion.

SIR JOHN A. MACDONALD said the Bill, as amended, read: "and be returnable at the day of issue." Who was to fix the day of issue? The object of the clause was, that the Governor-General should determine the day of issue, but the whole clause had been drawn by the Clerk of the Crown under a perfect misapprehension. He thought the clause should be struck out.

MR. CAMERON said the effect of the amendment would be to leave them without a day of issue.

MR. LAFLAMME asked the Committee to allow the clause to stand over for a time.

On the 4th section,

MR. McCARTHY said the 4th section provided that either the agent or two electors for each candidate must remain in the booth, and gave the agent the right to exclude the electors. He should also have the right to assist him if he chose.

MR. BLAKE said that might be inconvenient. There might arise a difference of opinion between the unauthorized elector and the single agent. The candidate had given a written authorization to one agent, and it must be presumed he considered his interests would be sufficiently protected by that single agent. If this agent absented himself at any time an elector could be introduced. It was only when the agent was present that an elector could not be introduced.

MR. MILLS said this authorization was frequently given blank by the candidate to the agent, who could use it to appoint another agent to assist him if he chose.

MR. McCARTHY said that, supposing an agent came, and two electors were excluded, the returning officer might find a difficulty in admitting anyone else. He would not

MR. THOMPSON.

admit two agents to act for half a day and two for the remaining half.

MR. BLAKE said, in the absence of an agent, the returning officer would be bound to admit two electors.

MR. McCARTHY said, under the Bill of 1874, agents were permitted to vote where they were appointed, although not otherwise entitled to vote there. Under that system a good number of agents might be appointed during the day merely to be permitted to vote.

MR. CASGRAIN said section 8 provided that an elector who could not read or was incapacitated from any physical cause from voting in the manner prescribed by the Act, should be allowed to apply to the deputy returning officer to assist him in the exercise of his franchise, and required that the returning officer should swear every such person that he was so incapacitated. This section should not go so far as to take it for granted that every one applying for this assistance came under false pretences. Instead of saying the returning officer shall take the oath, it should be left optional and say, "may take the oath."

MR. LANGEVIN said that in his own county, or the County of Chicoutimi and Saguenay, there was only one Judge, who lived at Murray Bay; and in winter it would be out of the question to go before him and act as the Bill directed. He thought that Stipendiary Magistrates might be authorized to replace the Judge under such circumstances.

MR. MACDONNELL said that many counties in Nova Scotia were without Judges, while they also had no Stipendiary Magistrates.

MR. LAFLAMME said that in the Province of Quebec, there was only one Judge for a whole district, which sometimes comprised five counties; and the law must equally apply to the Province of Nova Scotia. It would be too dangerous to give the power mentioned to Stipendiary Magistrates.

SIR JOHN A. MACDONALD suggested that to the 25th line of the clause there should be added, "or for

the purpose of a petition questioning an election or return."

MR. BLAKE thought the addition should be made to read thus: "Or for the purpose of a petition which had been filed," etc.

MR. LAFLAMME: I have no objection to make that alteration.

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

### After Recess.

MR. LAFLAMME: said that Section 66 of the Act was repealed, and a clause inserted to the effect that no person should be allowed to inspect any ballot papers in the custody of the Clerk in Chancery, except under an order from one of the Judges, the Judge having first to be satisfied that the inspection was required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers. The inspection should not be allowed for curiosity, but only where a party really wished to inspect the ballots in order to see whether he had a fair chance of contesting the election or not.

MR. CAMERON said he fully agreed with that, but he was in favour of having a clause that would give the recount only before a Court.

MR. LAFLAMME said the clause, as it stood, was merely for criminal prosecutions. The parties should not be allowed to inspect the ballot papers in the Chancery office, but should have a regular order given by the Judge presiding at the trial summoning the Chancery officer to bring down the ballots.

MR. CAMERON said that an inspection should be allowed before the trial, because then, probably, the whole expense of the trial would be saved.

MR. BLAKE said he quite agreed that the ballots should be produced at the trial, and also that they should be produced at an early stage of the proceedings. At the same time, he had a great objection to these ballot papers being unnecessarily sent through the

country for the purpose of interlocutory examinations before a Judge, and thought it would work well to leave it as it was now, in the hands of the Clerk of the Crown, the present safeguards surrounding it being sufficient.

MR. MITCHELL said he thought the whole course of this legislation was in a wrong direction, that there were so many safeguards surrounding it that nobody but a Philadelphia lawyer could understand it.

MR. BLAKE said it was provided that there were six days during which the returning officer could not send the papers.

MR. LANGEVIN said this arrangement would not suit the majority of counties in Quebec. The hon. the Minister of Justice should go beyond the city of Montreal and its immediate neighbourhood where the population was not so scattered as in the remainder of the Province. In the latter districts, one Judge was appointed for two or three immense counties, and was, therefore, constantly on circuit, and would be absent from one county for three or four weeks at a time. Provisions should be made to meet this difficulty by appointing other officers of high rank in those counties; the stipendiary magistrates, for instance, who were out of politics, and had not, he believed, even a vote, might be appointed for this purpose. He had drawn attention two years ago, and especially last year, to the heavy costs on actions in the Supreme Court, and nothing had yet been done to reduce them. This Bill put other heavy expenses on the shoulders of members of Parliament. The defeated candidate might take advantage of this clause to subject the member to inconvenience and expense. The proceedings in the Supreme Court were more costly than those in any other courts in the Province of Quebec. This had not been the intention of the Legislature. Parliament required the appellant to deposit \$100 as guarantee of costs. Had the members who passed that law thought the costs of appeal before the Supreme Court would have amounted to between \$1,800 and \$2,500, they

would have hesitated before passing it. Not a move could be made in that Court without paying a fee, the registrar could not be asked to go into his office without paying a fee. He did not see why another law should be introduced to make the costs heavier.

MR. LAFLAMME said the hon. gentleman could not point to a single instance where the Judge could not be got within twenty-four hours. As to the additional expense it would be a very trifling matter.

MR. CAMERON said the right to a recount should be limited to cases in which the majority was fifty or under. In Ontario it was limited to cases under thirty. He would suggest also that the power to order a recount be not limited to the County Court Judge of the particular county, but be extended to any Superior Court or County Court Judge.

MR. LANGEVIN was glad the hon. gentlemen had met the views of the hon. members for South Essex and Victoria, but he thought the section of country which he represented should be considered also. There were no railways in that district, and the Judge might be 90 or even 190 miles off, so he thought some exception should be made in that case, so that a recount might take place before a district magistrate.

MR. LAFLAMME said he was willing to meet the hon. member's views as far as possible. He had no objection to make an exception, so far as delays were concerned, in the case of that part of the country, but he thought it would be highly injudicious to give powers to district magistrates in one neighbourhood which were denied to the same class of judges elsewhere.

MR. LANGEVIN said it would be a great injustice to his county if they were denied the right to have a recount, and he would oppose the Bill at every stage.

MR. BLAKE said the difficulty might be got over by allowing the order for a recount to be made by a stipendiary magistrate, if necessary.

MR. LANGEVIN.

MR. LANGEVIN said that was a step in the right direction, but it did not go far enough. If the notice was given as suggested by the district magistrate to the returning officer, the latter would fold his arms and quietly wait for, perhaps, three weeks till the Judge came back, and during that time Charlevoix would be unrepresented.

MR. LAFLAMME said the proposal made by the hon. member for South Bruce ought to meet the difficulty. If a candidate was elected by a majority he would naturally be desirous that the delay should be as short as possible, and as those who desired a petition would have to pay a deposit, the hon. gentleman was not likely to be annoyed if returned by a majority. As he understood the object of the clause was to appeal from the returning officer, and to select a person who would commend himself more to the confidence of the electors, than the ordinary returning officer was likely to do. The principle of the hon. member appeared to be to appeal to the gentleman whose official positions required no higher qualifications and were not of such a nature as to entitle them to a larger share of public confidence. It would be better to leave the decision of the returning officer a finality than to introduce such an appeal.

MR. LANGEVIN said the people of his county would not receive the same justice as others. The Bill refused them access to the Judge, for he would be miles away and they could not reach him for some time.

MR. MITCHELL said he thought it was important that these amendments should be reprinted so that they might be understood.

MR. LANGEVIN said this clause had been amended three or four times, and as it was a very important clause it should not be passed until it had been reprinted. The Bill did not do justice to his county (Charlevoix). His constituents had a right to be heard. The hon. gentleman was not the Minister of Justice for one region only, and, therefore, he must consider the position of Charlevoix. They must not be left in the position of having to

travel ninety miles to Quebec or to Saguenay to see a Judge, while all the other counties in the Dominion were treated in a different way. Why should they be kept waiting three weeks until a Judge came from another county? Might not the Magistrate take the place of a Judge in such cases? The counties of Chicoutimi, Charlevoix and Saguenay had a right to be treated as well as the other counties. The clause also stated the Judge was to give notice in writing to candidates or their agents. Suppose the candidate was not of the county and had no agent, or the agent was also out of the county, to whom would the notice be given? And supposing the candidate was out in the country? The Election Law provided that if a man was not in the county he might be nominated without his accepting the nomination. He had no agent, how was the notice to be given? If there was no candidate present and no agent, to whom would the notice be given? This portion of the Bill would in such case be rendered inoperative.

MR. MILLS: There must be an agent.

MR. LANGEVIN said it was not necessary. It did not follow, because a candidate was not in the country, that an agent should be appointed. The clause should be amended to meet the difficulty. The candidate might be out of the country, he might keep out of the way, and have no agent. Another difficulty he would refer to in case the amendment giving power to other Judges than the Court Judge to order a recount did not pass. Would the Judge have to come to the county or would the counting take place where that Judge resided?

MR. LAFLAMME: The Judge must come to the county.

MR. LANGEVIN: There was nothing in this Bill providing for the Judge's expenses. Provision would have to be made, otherwise the Judge would refuse to act. The provision of the other law could not apply to this, because there was nothing in this Bill making it a portion of the other law.

In case of contestation of election the matter in the first instance might be taken before the proclamation in the case of the county of Chicoutimi and Saguenay and of any other counties where it was not easy at all times to obtain the presence of a Judge.

MR. TASCHEREAU said it was not advisable to have recourse to an officer inferior in position to a Judge.

MR. LANGEVIN said he hoped that the matter would be considered.

MR. LAFLAMME: I will consider it.

MR. ROBITAILLE said they had no Judge at all in Gaspé county, while though there was a Judge in Bonaventure county, this officer did not reside in it, but at the city of Quebec.

MR. MACDONNELL said that counties in Nova Scotia occupied a similar position. He suggested that the clerks of the County Courts should be empowered to issue the order in question, which a Judge was bound to do on affidavit being made. No discretion at all was allowed in the matter. County clerks and prothonotaries were at present permitted to grant orders in cases of fully as great importance as these.

MR. LAFLAMME said that these matters would be taken into consideration. At the same time he would remark that these officers were not under the control of this Government, and could not be bound to perform any duties that they imposed on them.

MR. COSTIGAN said that the Judge for his constituency resided about 150 miles from the shire town, and easy access to him to make these applications was not always possible. All the counties should be placed on an equal footing in this respect.

Progress ordered to be reported.

House resumed.

Progress reported.

House adjourned at  
Fifteen minutes after  
Twelve o'clock.

## HOUSE OF COMMONS.

Saturday, 20th April, 1878.

The Speaker took the Chair at Three o'clock.

## PRAYERS.

## MANITOBA LAND CLAIMS BILL.

[BILL No. 46.]

(Mr. Mills.)

## CONSIDERATION OF SENATE AMENDMENT.

The Order for taking into consideration the amendment made by the Senate to Bill No. 46 respecting conflicting claims to lands of occupants in Manitoba, *read*.

MR. MILLS moved that this House doth disagree with the said amendment, for the following reasons:—

1st. That the proposed amendment is at variance with the general scope and title of the Act respecting conflicting claims to lands in Manitoba, under which the question whether any person has a claim against the Crown is not referred to the Commissioners, but only the cases of persons who had acquired some estate or interest in land from the Hudson's Bay Company, or the cases of adverse or conflicting claims between persons under sub-sections three and four of section thirty-two of the Manitoba Act, and in respect of which it has been previously established to the satisfaction of the Minister charged with the administration of Dominion Lands, that there has been undisturbed occupancy of the same. The question whether any person has a claim against the Crown, is and should be determined by the Minister prior to any reference to the Commissioners.

2nd. That the machinery provided by the Dominion Lands Act enables the Minister in charge to make the necessary investigation in the cases provided for by the amendment more expeditiously, efficiently and cheaply than can be done under this amendment, should it become Law.

3rd. That the amendment would prevent any Minister from deciding adversely to the claimant without first making a reference to the Commissioners, although the evidence accompanying the application may conclusively shew that the person asking for a patent has no valid claim.

4th. That the amendment will injuriously impede the administration of Dominion Lands in Manitoba, and delay the allotment of some of the Half-breed reservations.

MR. RYAN said the Senate amendment intended to refer to an indepen-

dent tribunal that class of claims which are not recognized by the Department of the Interior under its restricted interpretation of the word possession.

MR. SCHULTZ said that it was quite evident, from the discussion in the Senate, that there existed a strong feeling in relation to these stake claims, and in reference to such grievances he must call attention to a peculiar class of them existing in the Parishes of St. Clements and St. Peter, in Manitoba. He had occasion to speak of these before, and had assisted in giving all sorts of data and evidence. No action had been taken, and no hope, apparently, of a speedy settlement, while the greatest inconvenience was experienced by the occupants of these lands. In the neighbourhood of the Stone Fort also, there was a number of quarter-sections sold to Stephens and others, in Montreal, and given to the Hudson Bay Company, which were in the Haypoundage belt, and which, consequently, belonged to the people in that district who owned the river farms, and if the Government desired to receive the good opinion of that section, these matters must be looked into and redressed, and at once. As regards the amendments to the Disputed Claims Act, he very much regretted that if that Act needed amendment, why the necessity had not been discovered a year ago, and was surprised that the Commissioner appointed under the Act should have drawn his pay to the last moment, and only then repented that the Act was unworkable. Too much time, by far, had been lost in this way, and, apparently, in every other way in the Province. In fact, a fatality seemed to attend all Manitoba matters in connection with land matters. The blocks taken by parishes, and notably that of St. Andrews, had not been preserved intact, but had been altered to suit the convenience of the Department. The issue of scrip had been delayed till all benefit from it had passed away, and the continued delay in the distribution of the minors land was an injustice to all parties concerned, and was too palpable to need comment. Session after Session he had spoken of these matters, and would

MR. COSTIGAN.



now make a last appeal. He had been often promised the attention of the Government to these matters, and he trusted that these promises would be fulfilled, and believed that in view of these long and grievous delays, and the peaceful and quiet manner in which the people had borne them, that the Government would be only performing a just and graceful act were they to remit the payment of the seed grain which they had received.

SIR JOHN A. MACDONALD said there was no reason why the Minister of the Interior, who had control of the matter, should not accept the amendment proposed, which would make the law the same as before, under the Statute 53 Victoria.

MR. BLAKE said it was now proposed, for the first time, to refer to a commission, the question, whether there was a right, as against the Crown or not. There was a great distinction between the class of cases dealt with under the Act hitherto, and those under consideration.

MR. PALMER said there could be no doubt that the Senate proposed to do what never had been done before. The rights of the people were at the present time disposed of by the arbitrary will of the Minister of the Interior, without any proper investigation being made by the Department. He did not mean to insist that the Department should be compelled to adopt the principle suggested by the Senate; but would it not be well in cases where they felt themselves unable to decide, for want of evidence, to refer the matter to a tribunal which could dispose of such cases? There was, truly enough, no claim apart from the Crown, but the claims which were perfectly well founded, were determined, in the meantime, by political power. He assumed that was not proper. It would be better, he thought, for the Minister of the Interior to refer such cases to a Commission.

MR. MILLS said he did not think the hon. gentleman would care to administer a department and give effect to a provision of this sort, which was strictly at variance with the administration of public affairs in this

country. If the principle laid down was adopted in this instance, it ought to be adopted in all disputes, whether in regard to supplies, lighthouses, or with regard to Indian or public lands. The principle was not a proper but a nugatory one. It was in a great measure a direction by Parliament as to the manner in which certain affairs, with regard to public lands, should be administered. That, as he had already pointed out, was the introduction of an entirely new principle. A provision was introduced to take evidence some other way than through the ordinary officers of the Department, in cases where it was sought to be ascertained whether the Crown had parted with its rights, and whether a patent should be made out in favour of the person who set up the claim. As the law stood at present, the Minister must be satisfied that some party had a claim, before the case was referred to a Commission. A commission was simply a convenient mode of taking evidence for the use of the department in a particular case, and there was no reason why the Minister should not act on the evidence which he obtained in the first instance. In the proposed amendment to the Bill, it was provided that when a person made application for letters patent, and the Minister was not satisfied that that person was entitled to send letters, he was to refer the matter to a commission to do what he had already done—to take evidence which he had already in his possession, which might conclusively show that the claimant was not entitled to letters patent. He still adhered to the resolution he had moved.

MR. POPE (Compton) said the proposition made might be novel in the legislation of this country; but he thought it was a very proper one. At one time the free grant system existed in Lower Canada, and for a long time after it was abolished, settlers or squatters took possession, imagining that that system was still in force, and a Commission was appointed to obtain information just as was proposed at present. It was, of course, to the benefit of the Dominion that spare land should be occupied as soon as possible, and the broadest construction

should, for that reason, be put on the Act.

MR. MILLS said that question was not touched in this Bill.

MR. POPE said he thought so. He (Mr. Pope) stated that it was most important, in the interests of the people going into that country, that these people should have a broad liberal construction put upon this section of the Act. He quite agreed, notwithstanding what the hon. member for South Bruce (Mr. Blake) had said, that the Minister of the Interior should be able to have a Commission which would obtain for him full and complete evidence with respect to these claims.

MR. LANGEVIN said he thought these people should have the same right as any other individual—as a contractor, for example, had. If a contractor had a claim against the Government, the Minister of Public Works examined that claim and decided. If he decided adversely to the claimant, the latter might ask that the matter be referred to arbitration; or if it was a large claim, he could have his case tried before the Supreme Court. These settlers were the pioneers of the country; when they came there and wanted wood for their fences or houses, they went to the nearest land, and, according to the custom of the country, they said, "this is my piece of land," and having staked it in, they had a perfect right to it, because that was the custom of the country. In regard to marriages, the custom of the country was for the ceremony to take place before one or two witnesses; they had no minister of religion present, and that marriage had been recognized by the Courts of Law. These were customs of the country before we acquired it; why should we then dispute the rights of the few individuals? Was it worth our while as a powerful Government?

MR. MILLS: That is wholly beside the question.

MR. LANGEVIN said that if the right to some millions of acres were involved, it would be a different matter.

MR. BLAKE: Is the Crown to be represented before the Commis-

MR. POPE.

sion, and to cross-examine witnesses and so forth?

SIR JOHN A. MACDONALD said that, most decidedly, there must be somebody there in the interests of the Crown, but he took it that it was only when the evidence was conflicting and unsatisfactory that such a Commission would be appointed.

MR. BLAKE said he entirely agreed with what had been said as to the unsatisfactory nature of the affidavit evidence as a mode of ascertaining the truth, but this was not a case for obtaining evidence at all. There was no party antagonistic to the claimants. It was not a case in which two parties were contending for possession; it was a case in which the claimant was called upon to make out their single point of undisturbed possession to the Crown. If they were to have the Crown represented before the Commission, they would have legal gentlemen on either side, and the proceeding would be made a very expensive one. It was admitted that the object of the amendment was to obtain a more liberal construction than the law allowed. Another gentleman had said that the lawyers of this House had framed a law, but the people of Manitoba were not lawyers, and they wanted the bargain changed. If so, let them change it. Let them say what should be the character of possession; what should be sufficient to entitle people to possession; there was no use for one side to endeavour to obtain greater latitude than the Act of Parliament had given, which would be the effect of the amendment. He perfectly agreed with the hon. member for Kingston (Sir John A. Macdonald) that this Bill would not be worth spending so much time in talking about if its practical results were simply permissive; but he contended that its practical results were compulsory. The Act having provided that in cases where the Minister of the Interior was dissatisfied there should be a Commission, he was therefore bound, in such cases, to have a Commission. The bulk of these cases had been determined as liberally towards the claimants as was at all consistent with the law of the land.

Motion agreed to.

MR. MILLS moved, that a message be sent to the Senate, acquainting their Honours, that this House had disagreed to the said amendment for the foregoing reasons.

Motion agreed to.

SUPPLY.

House again resolved itself into Committee of Supply.

XIII.—OCEAN AND RIVER SERVICE.

*Dominion Steamers.*

113 Maintenance and repairs of Steamers *Napoleon III*, *Newfield*, *Druid*, *Glendon*, *Sir James Douglas* and *Northern Light* .....\$130,000

In reply to MR. LANGEVIN,

SIR ALBERT J. SMITH said there was practically an increase this year of \$10,000. They took a vote for \$100,000 for the steamers mentioned with \$20,000 for the *Northern Light*. They found the latter sum, however, insufficient for the maintenance and repair of that vessel, and therefore they had put it at \$30,000, though he did not believe the whole of that amount would be required.

MR. LANGEVIN: I believe this *Northern Light*, although it was said would be only an experiment, has proved a very costly experiment?

SIR ALBERT J. SMITH: I quite agree with you.

MR. LANGEVIN: Would it not be better to get rid of the vessel altogether?

SIR ALBERT J. SMITH said the Government were bound by treaty to make communication between Prince Edward Island and the mainland, and had found it extremely difficult. The steamer had done the work up to February, but was now stopped, owing to injury to her machinery.

MR. LANGEVIN said he did not find fault with the service itself, which the Government was bound to perform. But the hon member for Queen's had pointed out that the service could be more regularly performed and at much less cost between two ports other than those between which the steamer plied at present. He would ask the hon. the Minister of Marine and Fisheries whether any change of line was contemplated?

SIR ALBERT J. SMITH said the subject was under the consideration of the Government. No particular points between the island and the mainland had yet been decided upon. He rather agreed with the hon. member for Queen's that Cape Traverse and Cape Tormentine would be the two points between which the steamer could ply with greatest regularity, the distance between the two being only nine miles. Before next winter the Government would arrive at a conclusion on the subject.

MR. LANGEVIN asked whether it would not be necessary to build wharves at those places?

SIR ALBERT J. SMITH said that the hon. member for Queen's and other gentlemen skilled in this matter, thought that wharves were really not necessary, because the board ice extended a considerable distance from shore, on which could be landed the passengers and freight.

MR. SINCLAIR said they would be required at the commencement of the season, until the board ice became formed. New arrangements ought to be made for next year. It could not be expected that any vessel could for a length of time do the work of pounding through ice for 45 miles, the distance between Pictou harbour and Georgetown. The natural connecting link between the island and the mainland was between the two capes. The Government should put in the Supplementary Estimates a sum to extend railway communication from Cape Tormentine to the Intercolonial, and from Cape Traverse to the Prince Edward's Island Railway, the one a distance of 30 or 35 miles, the other 12 to 14 miles. This line of communication could be kept open winter and summer.

SIR JOHN A. MACDONALD asked could the Government not get rid, by some means, of the *Northern Light*, which had proved a perfect failure.

SIR ALBERT J. SMITH said they had testimony to show she was not by any means a failure. If the change of line were adopted she would still be useful.

SIR JOHN A. MACDONALD: By using the longer route during the summer, and the shorter route during the winter? Of course the Government could not undertake to make the railway connection mentioned, which would cost a million dollars.

MR. PALMER said the practical mode of solving this difficulty was to get rid of the *Northern Light* and establish communication between Cape Tormentine and Cape Traverse, which would involve the completion of railway communication. The right hon. member for Kingston had stated that would cost a very large sum, and that the Government ought not to build the railway. He (Mr. Palmer) believed that only a very small subsidy would be necessary to build the New Brunswick line, to connect with the Intercolonial, a distance of thirty miles, which would pass through a very fertile country. The same policy should be pursued on the other side, and then employ a powerful but much smaller steamer, than the *Northern Light*. This route possessed another advantage, that of being easily traversed by ice-boats. The passage need never be delayed. When it was impossible for the steamboat to cross, ice-boats could be used. The interest of the money necessary to complete this route with railway connection would be small, compared with the sum necessary to be expended on the *Northern Light*, even were she able to run regularly.

Vote agreed to.

120. To provide for the examination of Masters and Mates..... 4,250 00  
 121. For the purchase of Life Boats Life Preservers, and Rewards for Saving Life..... 3,000 00

MR. ANGLIN called attention to the fact that inadequate provision was made for manning the lifeboats, and that at St John many lives had been lost on that account.

MR. McCALLUM said it was necessary that lifeboats should be placed in charge of the lighthouse keepers on Lake Erie.

SIR ALBERT J. SMITH said instructions had been given for the placing of a lifeboat at the places indicated by the hon. gentleman.

SIR ALBERT J. SMITH.

MR. BUNSTER urged the placing of lifeboats on the west coast of Vancouver Island, where a great many lives had been lost in consequence of the absence of life-saving apparatus. If proper lifeboat provision had been made many lives would have been saved at the time of the Pacific disaster. Boats should be placed at the different lighthouses, where they were required, and where, according to the information furnished the hon. gentleman's Department, they would be of great benefit to the country. He trusted the Government would act on the hon. gentleman's suggestion. Many valuable lives, which were always exposed to danger in connection with immigration, would thus be saved. He wished that the Government would place at Cape Veal, on the western coast of British Columbia, a steam pelisse, which might be obtained for a very small amount of money from one of Her Majesty's men-of-war. He thought that if the Government would apply to the Admiralty, they would probably be presented with one of these boats, which would be the means of saving a number of lives on that coast, where they had had several shipwrecks, attended with considerable loss of life. In fact, he had been negligent in his duty in not having called upon the Government to bring down the number of shipwrecks which had occurred on the west coast, in order to show the great number of lives that had been lost there.

SIR ALBERT J. SMITH: You will find that information in my Report.

MR. BUNSTER said he had not observed it. He would impress upon the Government the necessity of having boats, as the hon. the Minister of Marine and Fisheries suggested, stationed at the different lighthouses in British Columbia, where Indian crews could be had almost within hailing distance. There men were just as good boatmen as the Whites; they pulled as good an oar; they had muscle, and could always command crews, and thus, with very slight expense to the Dominion, many valuable lives could be saved. He heartily endorsed the suggestion of the hon. the Minister of Marine and Fisheries.

MR. LANGEVIN said that last year he had called the attention of the hon. the Minister of Marine and Fisheries to the condition of our lifeboats, and stated that some of them were quite useless, being left in such a state that they could not be used. He had directed attention especially to the lifeboat at Murray Bay, and he now wished to know whether this boat had been removed or whether it was intended to provide a new one at that place.

SIR ALBERT J. SMITH: I am not now prepared to answer the question, but I will procure the necessary information. General instructions, I think, were given to our officers, to direct their attention, at their annual visits to the lighthouses, to the condition of the lifeboats at these stations.

MR. LANGEVIN said that this particular boat was under shelter, the door was locked, and it was placed in a very nice building; but he did not know how far it could be used for the saving of life. There were always a number of boats at the wharf, belonging to private individuals, and he thought that if occasion arose, these boats would be used instead of the lifeboat, which was placed at a distance inland, as there certainly would not be time to launch it. He thought that the hon. the Minister of Marine and Fisheries should order an investigation to be made as to the location of this boat, which should be so placed as to make it available in case of need. At present this was out of the question, and the boat was of no use whatever.

SIR ALBERT J. SMITH: I will have the matter looked into.

MR. BLAKE said that this boat could be easily placed in the water in twenty minutes.

MR. LANGEVIN: The hon. gentleman well knows that it is under cover.

MR. BLAKE: Yes.

MR. LANGEVIN: If lives are to be saved this boat will not be obtained. The hon. gentleman knows that twenty other boats are available and these will be used in case of need.

MR. BLAKE: I have no doubt that, under ordinary circumstances, when

there is not a very great storm, those already in the water will be used; this is always the case.

Vote agreed to.

122. To provide for investigation into wrecks and casualties, and collection of information relating to disasters to shipping.....\$500.00

MR. DAVIES said he desired to call attention to the insufficiency of the investigations into the causes of wrecks as at present conducted. About 30 years ago in England a law passed requiring masters of all sea-going vessels to be examined before a competent tribunal; and this law had been attended with the very best results. It had, moreover, been extended to the colonies, and to the Canadian colonies in particular. Afterwards the Imperial Parliament enacted a law which compelled a close investigation into the causes of wrecks, and a Wreck Commissioner was appointed. No sooner did a vessel get ashore than this Commissioner constituted a Court in accordance with the provisions of the Act, and made a searching enquiry into the circumstances. This Court had power to suspend masters, if their conduct was ever to blame, for 3, 6, 9 or 12 months, and even to cancel their certificates altogether, reducing them to the condition of ordinary seamen. We had a somewhat similar law—32 and 33 Vic., Cap. 38, but was not so efficient. It was permissive and the authority was vested in the Commissioner of Customs, who might summon a Court of Enquiry. Practically, this law was inoperative. In the Province of Prince Edward Island, about which a great many wrecks took place, owing to its insular position, they had never had one investigation. It was not convenient for the Collector of Customs to make them; they were attended with a great deal of trouble and no remuneration. He thought that this had a very prejudicial effect. Naturally they had a great many shipmasters on the Island, where the young men had a fondness for sea-going, and he was proud to say that among them were a great many first-class master-mariners. A different state of things would exist if rigid investigation into these mat-

ters took place, and if the English system was properly carried out. Within the last two years, a new ship laden with cats, has been lost within a quarter of a mile of the place where she was launched, and it was very well known in the Island that this vessel was sold and taken over to Pictou the following spring when navigation opened, and put on the slip; no expense at all was incurred and the underwriters and others were swindled out of the proceeds of the vessel. This had a very prejudicial effect on honest people. He had to pay his share of the loss resulting, for, as they were aware, the underwriters fixed the rate of insurance on the average rate of losses, say for the half of the St. Lawrence, and honest insurers had to pay for these fraudulent losses. He contended that this state of things ought to be changed. The present Act was permissive and practically a dead letter. He believed that two or three investigations had been held in New Brunswick and Nova Scotia, in very flagrant cases, but he did not remember of any having been made in Prince Edward Island, which was a very convenient place to lose shipping at, now that shipping was depressed and not worth over fifty per cent. of its cost a year or two ago. People so disposed could very conveniently lose an old ship at the Island and defraud the underwriters; and as the shore shelved gradually, the loss of life was very small. He said that they should have a Wreck Commissioner and several deputies. This would necessitate considerable expense; but in order to make the system complete, masters should be examined and wrecks investigated. Such Commissioner should be clothed with the same powers which the Commissioners in England possessed. Such investigations would be a wholesome check. He ventured to say that with such a system not one-half of the ships which were now lost would become wrecked. Ship-masters would then take very good care that they did not lose their certificates. He hoped that the hon. the Minister of Marine and Fisheries would attend to this matter.

SIR ALBERT J. SMITH said that this suggestion was worthy of the most

MR. DAVIES.

serious consideration; but it must not be forgotten that this country was quite different from England, which was comparatively small in extent, its coasts on every part being approachable at all seasons. A great many wrecks occurred there, and the Wreck Commissioner, on the first information, had to repair to such spots. This was utterly impossible here. With such a system, a Wreck Commissioner would certainly be required on Prince Edward Island. Wrecks there generally occurred when it was impossible to get there; and the same remarks applied to localities down the St. Lawrence,—to the Magdalen Islands, to Anticosti, and farther down. It would be quite impossible for a Wreck Commissioner to repair to these spots when wrecks took place; and he would have to wait until the men came to Quebec or some other place in order to examine them. It was at present the duty of Commissioners of Customs, to enquire into the causes of and the circumstances attending wrecks; and the Government had power to appoint a formal judicial Court to hold an enquiry into these circumstances, and, as in England, to suspend or cancel the certificates of masters or mates. This was very similar to the English Law; our country was very much larger than England; and it seemed to him impossible to carry out here the English system which was totally unsuited to our circumstances. He had never failed, when a case was brought under his notice, where the circumstances excited suspicion as to *bonâ fide* loss, to appoint, if necessary, a Court of Enquiry, but it had never seemed to him fit and proper to incur the very heavy expenses that naturally resulted from the holding of such an enquiry, unless the circumstances were suspicious. It only took a very short time, by Order-in-Council, to establish a Court.

MR. DAVIES said he regretted to differ from the hon. the Minister of Marine and Fisheries. The law as it stood was nearly altogether inoperative.

SIR ALBERT J. SMITH: In a sense.

MR. DAVIES said that in order to carry the system out properly, Wreck Commissioners should be appointed. This would cause some expense, but it was a necessity. This officer should have one deputy on the Pacific Coast, and two or three on the Atlantic Coast. This would not require a very great expenditure. At present he contended that there was no check. The law was permissive, and as no fees were attached, the general result was that no enquiry took place. This was the case in his own Province, and the effect was very prejudicial there and in the Maritime Provinces. Canada was now the fifth largest ship-owning country in the world; her merchantmen were on every sea, and it was a matter of great importance to have this law operative and complete.

MR. PALMER said he was surprised to hear his hon. friend (Mr. Davies) make this statement, which, if true, ought to be investigated. It was a grave charge to make on the floor of Parliament against a class of men whose equals for integrity and usefulness did not exist in Canada, or in any country. He was not prepared, however, to say that his hon. friend's statement was not true; but this country could not afford to have it go forth to the world without contradiction or investigation.

MR. DAVIES: You cannot contradict it.

MR. PALMER said he entirely agreed with the hon. the Minister of Marine and Fisheries that, in the present state of the country, it was asking too much to request the appointment of a Wreck Commissioner. This would involve an enormous expenditure, which this country could not afford. He hoped that the hon. gentleman was mistaken. These statements would be very injurious to the character of the country, and he, therefore, protested against their being made at all. If they were true, as regarded the Island, they were not true with respect to this class of men in general.

MR. DAVIES said that what he had stated with regard to fraudulent wrecks was not only true with respect to his own Province, but also with regard to

the Province of New Brunswick. If a ship went ashore, say at Shediac, N.B., or on the coast of Prince Edward Island, there was not much danger of loss of life. The captain knew that no investigation would be made into his conduct as master-mariner; a survey was made; the vessel was sold, and the whole property, perhaps, was sacrificed. If there were a Wreck Commissioner, this would not occur. Captains would then be very careful lest they should get into trouble. At present no enquiry was made and the Act was practically a dead letter, because it was not compulsory on Collectors of Customs to hold these surveys. More than once cases of the kind to which he referred had taken place; but it was not his place to become a common informer, and thus make enemies. It was the duty of the Government to protect insurance companies and their agents.

MR. McCALLUM said he regretted the fact that the hon. gentleman (Mr. Davies) had thought proper to reflect on a class of men which was as honest and as well behaved as any class in the Dominion. The hon. gentleman would have the Government spend money in order to protect the underwriters. If officers of vessels ran them ashore, they were exposed to the loss of their certificates and to punishment as felons; but certainly this country had no money to expend for the protection of underwriters.

MR. DAVIES said he only wished the Imperial Act to be applied to the Dominion. The few dollars which would have to be expended would not be any great loss. If the country could afford to spend large sums on the Pacific Railway and other schemes, an expenditure of \$2,000 or \$3,000 in a matter of this kind would not be felt to any appreciable extent.

MR. GOUDGE thought this was a matter of very great importance now that the shipping of the country represented between \$40,000,000 and \$50,000,000. The suggestion made by the hon. member for Kings was, he thought, an excellent one, though it might not, of course, be convenient for the Minister of Marine, at the moment, to

state whether he would accede to the hon. gentleman's wishes. To appoint a Commissioner of Wrecks would be a step in the right direction, and would probably prevent the loss of many wrecks. He should be sorry to say that our master mariners would throw away a ship. He believed they were a very excellent class of men; but cases might occur in which, for want of supervision, ships might be thrown away. It might be said that the underwriters should look after the matter; no doubt they did, but sometimes before they could get to the place where a wreck occurred, it was surveyed, sold and beyond their reach. He thought the Minister of Marine should seriously consider whether a Commissioner or some other person should at once proceed to a wreck and hold an official investigation.

MR. McCALLUM: The hon. gentleman says before the underwriters can get to the scene of a wreck the vessel is sold? By whom is it sold?

MR. GOUDGE: By those who surveyed it.

MR. McCALLUM: And would you have the Government to do the business of the underwriters?

MR. DAVIES said it was not so much a question for the underwriters as for the owners of ships, because they fixed the rates, and the owners had to pay them.

*Vote agreed to.*

123 Expenses in connection with Canadian Registration of Shipping.....	\$500 00
124 Montreal Water Police...	14,090 00

MR. BUNSTER said there were no Water Police at British Columbia where they would be of great advantage in the way of arresting deserters from Her Majesty's navy.

SIR ALBERT J. SMITH: There is no tax on the ships there.

MR. BUNSTER: Then you should put a tax on our shipping and give us a Water Police.

SIR ALBERT J. SMITH: If I am in my place next Session, I will introduce a measure of that character.

*Vote agreed to.*

MR. GOUDGE.

124. River Water Police..... \$23,500.

MR. BLANCHET: Perhaps the Minister of Marine will state what changes have been made in that Department. I know that Mr. Miller took Mr. Russell's place, as shipping-master, and it is reported that the situation of Chief of the River Police is vacant.

SIR ALBERT J. SMITH: I may say frankly that a change is contemplated, but it has not been effected yet.

*Vote agreed to.*

126. Removal of Obstructions in Navigable Rivers..... \$500

MR. LANGEVIN: Will the hon. gentleman say what was done with this money last year?

SIR ALBERT J. SMITH: Up to the 20th June, 1877, we expended \$193 for removing obstructions in Summer-side Harbour, and \$12 in advertisements giving notice of some obstructions. These are the only items I know of, but I will look into the matter further, and give the hon. gentleman the information he desires.

MR. STEPHENS said, in the county which he represented, there was a river called Sydney River, and the customs paid last year on the shipping in a port some miles up, amounted to \$3,387.10; in 1876, the duties amounted to \$2,950.86; and in 1875, to \$3,298.34, making a total of \$9,636.30, a great part of which was collected on the imports of a vessel which plied between that port, Detroit and the city of Brisbane. Two other steamers also plied now between the same ports. From the shipping of the River Thames in the same county, \$19,087.76 were collected in 1875, \$23,332.70 in 1876, and \$23,696.45 in 1877, making a total of \$66,116.91, and for the two rivers a total of \$75,753.21. He held then that the sum of \$500 asked in this vote was a very paltry one and would not suffice for the two rivers he had referred to.

SIR ALBERT J. SMITH said his hon. friend was under a misapprehension. The object of this grant was merely to remove artificial obstructions, such as timber in rivers and harbours, but did not apply to natural obstructions or the improvement of rivers.



MR. STEPHENSON said he generally received the explanations of his hon. friend the Minister of Marine with a degree of satisfaction, but in the present case he might express the belief that \$5,000 were required to remove the obstructions in these two rivers.

SIR ALBERT J. SMITH said that if the hon. gentleman called the attention of the Department to the existence of obstructions in either of these rivers, from floating lumber, he would cause an enquiry, and, if necessary, remove the obstructions.

*Vote agreed to.*

#### XIV. LIGHTHOUSE AND COAST SERVICE.

127. Salaries and allowance of  
Lighthouse Keepers..... \$151,583 00

MR. LANGEVIN asked why the lighthouse keeper at Kamouraska had received an increase of \$50.

SIR ALBERT J. SMITH said it was because the light there was changed from a fixed to a revolving light, entailing more responsibility, time and care.

MR. LANGEVIN said the salary of the keeper at Metis had been reduced by \$20, and he presumed that was done because the light there was changed from a revolving to a fixed one.

SIR ALBERT J. SMITH said he did not think any actual reduction had been made, but he would enquire into the matter.

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

#### After Recess.

MR. LANGEVIN asked how long the keeper had been at Tadousac Range Light.

SIR ALBERT J. SMITH: I think about three years.

MR. LANGEVIN said the man had been there for three years taking care of the two lights, which were a quarter of a mile distant from each other, for a salary of \$150, and now, all at

once, it was proposed to double his salary. His duty would not be more than during the past three years, and the only reason given for the increase appears to be that it was a lonely place, and that there was no garden to cultivate to render him less lonely. He might say that there were other lighthouse keepers who were as lonely, some whose lighthouses were situated in the middle of the St. Lawrence, three or four miles from shore. These had not had their salaries increased. He thought there should be a rule for these increases, and that they should not be allowed to be made in this discriminate fashion. Last year he pointed out the case of a lighthouse keeper, whose salary had been gradually increased, until it was \$350, simply because he had a friend at Court. It was the same in the present instance. They might have increased the man's salary by \$50, but there was an object in doubling it; it was doubled so that next year the man would not want an increase, and some other relation could receive an augmentation of his salary. At the lighthouse of Port Charles, a very important point between Montreal and Quebec, and where a large sum of money had been expended, the man only received \$150, and had to keep the lights from the middle of April to the 1st December. Why was not that man to receive \$300? He was quite as lonesome as the other. The Cap aux Oies lighthouse was as lonely a place as could be found on the Lower St. Lawrence; notwithstanding, the lighthouse keeper there had \$200 only. The fact that the man at Tadousac had been increased \$300 would have this effect: that all lighthouse keepers would be applying to be put on the same footing. He did not say that the man's work was not worth \$300; but, if so, the work of the other man was worth as much. He should like to ask if the Department had any explanation with regard to the increase.

SIR ALBERT J. SMITH said that, before he yielded to the solicitation of the keeper, he had an enquiry made, and Mr. Gregory visited the locality. He reported to the Department that

\$150 was too small a salary, and represented that the two lights were one-third of a mile apart, over a rough, rocky road, most difficult to traverse, and that he required occasional assistance to attend to both lights. That it was lonely was no reason, certainly; but the Department thought the claim a meritorious one.

MR. McCALLUM asked why a decrease in salary of \$35 had been made at Scotch Bonnet, an increase of \$25 at Port Stanley, and a decrease of \$133 at Lancaster Pier?

MR. MACDOUGALL (East Elgin) said that the Port Stanley light was one of the most important on the north shore of Lake Erie. Port Stanley was the principal harbour on the north shore.

MR. McCALLUM said he knew that it was not the principle harbour there.

SIR ALBERT J. SMITH said that, under an Order-in-Council passed in 1870, before he came into office, the salaries of various lighthouse keepers in the Dominion were fixed; some were decreased on the appointment of new officers, and Scotch Bonnet came in the latter list. The appointment at Lancaster Pier was also a new one; hence the decrease.

MR. CAMPBELL said he wished to know why the lighthouse keeper at Bird Island, N.S., had been allowed to come on shore during winter, while Mr. McPhee, the manager of the Government institution at St. Paul's Island three years ago, had been turned out in the middle of winter, when he could not remove his family or effects from the Island. This man remained on shore all winter, and his wife and part of his family stayed alone on the Island, with a superintendent over their heads. His constituents had repeatedly asked him why the action of the Government was so arbitrary in the one case and so generous in the other, as in the case of Bird Island lighthouse, the keeper farmed out the work done for \$200, and pocketed the balance, making a political canvas at the same time. This lighthouse keeper had abandoned his post twelve months ago. He had moved for the papers relating to this

matter some time since, and he had just received them.

SIR ALBERT J. SMITH said that the lighthouse keeper on Bird Island was the brother of Hon. Mr. Ross, and having spoken to him (Sir Albert J. Smith) about this matter at Halifax, he had told Mr. Ross to make his application for leave of absence on the ground that his family was ill the winter before, and that he desired to live on the mainland in winter, in writing. Mr. Ross promised in his letter to provide an efficient person (Mr. Mackenzie) to take charge of the property during his absence, and to return to the post in the spring. If he did not return, of course he would have to resign the position. These were the facts, and he thought that the House would justify him in granting this leave of absence under the circumstances.

MR. STEPHENSON said that, as was well known, the lighthouse property at Rondeau was very valuable. The lighthouse keeper at this point had entire charge of two lighthouses, one of which was provided with a revolving light, and, nominally, he believed, this man had control of the harbour itself; but no person had actual charge of the harbour, into which large vessels went and lay during storms, to the great damage of piers, upon which a large sum had been expended. No one had authority to order the vessels to go into the harbour and anchor there, and the result was that these piers sustained very considerable damage. This lighthouse keeper received a salary of \$400 per annum; he lived several miles from any inhabited house; he did not have the advantage of any school or of any land to cultivate; and he had ten or twelve miles to go to market; in fact he was completely isolated. Last year the Government had been kind enough to give this official a boat, but it was only large enough for one man to use to go to market, to the post-office etc. He had the nominal and ought to have active control over these entire works. Moreover, he was compelled to remain at his post during the whole of the year, and, in addition, he had to take charge of these two

SIR ALBERT J. SMITH.

lights. He (Mr. Stephenson) thought that in view of these facts the salary was altogether too small; and if such a request was not previously made, he now applied for an increase of this man's salary, or if this were not done, for the appointment of an assistant. He believed that this matter had been brought before the Government before, and he trusted that the Government would at once see the absolute necessity of increasing this man's salary, so that he might secure assistance, or else that assistance should be secured for him. This officer should also have power equivalent to those of a harbour master in the Eastern Provinces, or some such powers which would enable him to have entire control over the vessels which entered the harbour. He had seen 14 or 15 vessels go into it during a storm, and some of them had from 50 to 60 hands on board. It was necessary that some person should have the authority of which he spoke at this point. Otherwise he thought that the Government would do an injustice to themselves, to the country, and to this great work which existed at Rondeau for the advantage of navigation generally.

SIR ALBERT J. SMITH said that his attention had recently been drawn to the facts as stated, and he had come to the conclusion that it was necessary to appoint a harbour-master at this port. It was in contemplation to do so at an early day, and his hon. friend knew that the powers of a harbour-master were very considerable. He understood that foreign and other vessels made use of these piers, causing considerable damage. A wharfinger, at the same time, would be appointed.

MR. STEPHENSON said that this was an outport of the Port of Chatham; and although it had a Customs officer, it might not be known to the Department that this officer lived some ten miles away from the spot, and, of course, this being the case, he was very useful. This man lived in the electoral district of Bothwell, and he hoped that the man appointed to the position named would live near the harbour.

SIR ALBERT J. SMITH said that they proposed to appoint this lighthouse keeper harbour master.

MR. STEPHENSON said that at the same time it would be just as well to have the Customs officer located somewhere in the vicinity of the harbour, instead of ten or twelve miles away. Though he did not attend to his duties, he (Mr. Stephenson) presumed that this officer, nevertheless, drew his salary regularly, because his efficiency had been recognised by an increase in salary from \$200 to \$500.

MR. MCCALLUM said that he knew something about Rondeau harbour. He did not think that vessels went in there to lie alongside the pier to get knocked to pieces. He did not object to the appointment of a harbour master there, but he thought it would be absurd to make vessels go alongside the pier at the risk of being seriously damaged.

MR. LANGEVIN said he understood that the pier had been carried away some years ago, and he wished to know what arrangements had been made with the railway company to have it rebuilt.

MR. MACKENZIE said it was built by the Government, the town of Collingwood and the railway company, jointly.

MR. LANGEVIN wished to know in that case whether these harbour works at Collingwood were in the hands of the Government.

MR. MACKENZIE said all harbours were in the hands of the Government. The mere fact of local authorities contributing part of the expense did not relieve the Government of the maintenance of harbours.

*Vote agreed to.*

128. Maintenance and Repairs .. \$260,675 00

MR. LANGEVIN wished to know what kind of new boats were required for the various lighthouses.

SIR ALBERT J. SMITH said some were lifeboats and some were ordinary ones.

MR. LANGEVIN said he noticed there was an increase of \$684 for the maintenance of lighthouses above Montreal. Then there was an increase of \$500 for oil, and on the next page there was a further increase of \$2,000 for the same purpose. Were these required for new lighthouses?

SIR ALBERT J. SMITH said they were.

In reply to Mr. LANGEVIN,

SIR ALBERT J. SMITH, said there were 110 lights in Nova Scotia, and ten fog whistles. The amount was not quite sufficient last year, and, besides, the Department had entered into a new contract for oil of a higher standard at a slight increase. This accounted for the increase in the Estimate.

MR. LANGEVIN said he would like to draw attention to the need of a good boat at Cape Beale lighthouse. If they had had a good strong boat at that lighthouse when the steamer was lost a short time ago, in Vancouver Bay, many lives would have been saved. The cost would not be much, and he strongly recommended the Department to consider the matter.

SIR ALBERT J. SMITH: It will be considered.

Vote agreed to.

House adjourned at  
Ten o'clock.

## HOUSE OF COMMONS.

Monday, 22nd April, 1878.

### PRAYERS.

The Speaker took the Chair at Three o'clock.

### SUPPLY.

#### XV. FISHERIES.

House again resolved itself into Committee of Supply.

(In the Committee.)

130. Salaries and disbursements of Fishery Overseers and Wardens. \$52,500

MR. MITCHELL said he wished to learn whether it was proposed to place the fishermen of Nova Scotia and Prince Edward Island on the same footing with the fishermen of New Brunswick as regarded certain taxation. He had called attention to this matter last year. He had then thought that an injustice was done, and he was still of the same opinion.

MR. LANGEVIN.

SIR ALBERT J. SMITH said that they collected as much money in Nova Scotia as New Brunswick. There was no tax on the salmon fishery in Nova Scotia, but this was the case in New Brunswick, Quebec, and Ontario. He understood that the salmon fishery in Nova Scotia was quite different from the New Brunswick salmon fishery; and his hon. friend knew very well that the fisheries in the Miramichi and Restigouche Rivers, as far as salmon were concerned, were superior to the fisheries in the other Lower Provinces. The taxation in question was very slight, only 3c. each on the net used for the catching of salmon. He presumed that the time would very speedily arrive when this tax must be extended to Nova Scotia.

MR. MITCHELL said he did not know there was any material difference between this fishery in the Provinces of New Brunswick and Nova Scotia.

MR. JONES (Halifax): Ours is a coast fishery.

MR. MITCHELL said that a great deal of the New Brunswick fishery was also a coast fishery. A very large number of salmon were taken off the entrance of the Miramichi River, and around the islands in and along the shores of the Bays of Chaleurs and St. Lawrence. He had objected to the tax as originally proposed, and he heard his hon. friend (Sir Albert J. Smith) had afterwards come to an amicable arrangement whereby a small tax for merely registration purposes was imposed on the fishermen's nets, ensuring the maintenance of the Departmental control over these fisheries. He still contended that this same Departmental control, which was necessary for the New Brunswick fisheries, should also be extended to the Nova Scotia fisheries, and that a tax should not be placed on New Brunswick fishermen which was not also levied on Nova Scotia and Prince Edward Island fishermen. His hon. friend, last year, had promised to consider this matter, and this tax should either be extended or removed altogether. There was no difference between the Nova Scotia and New Brunswick fisheries in this connection. He entirely approved of the tax in question, which was reasonable.

MR. JONES (Halifax) said that the Nova Scotia salmon fishery differed very much, in his opinion, from the New Brunswick salmon fishery, inasmuch, as far as he was aware, the latter was confined mainly to rivers and their mouths, whereas in Nova Scotia this fishery was conducted on the Atlantic coast, a different thing entirely. Very few salmon, indeed, except in the way of sport, were taken in the Nova Scotia rivers. He might say that all their salmon were caught off the headlands on the Atlantic coast and around Cape Breton. As regarded collections, \$1,520 had been received last year from Nova Scotia, and \$1,289 from New Brunswick in this relation.

MR. MITCHELL said that no difference existed between these fisheries in the two Provinces. If the taxation were equalised, the revenue thus derived from Nova Scotia would be very much larger than it was. The cases were exactly parallel; and there was no reason why this tax should not be imposed on these other fishermen.

SIR ALBERT J. SMITH said he had felt that it was wrong to levy a tax on the fishermen on the Quebec side of the Restigouche River, which was not paid by the fishermen on the New Brunswick side of this river. He thought it was only fair that these fishermen should be treated alike, and it seemed equally fit and proper to place this tax on the Miramichi fishermen. He must admit that there was an apparent unfairness, but he was instructed by his officers, and those who understood the subject, that there was nothing at all like the Miramichi and Restigouche fisheries in Nova Scotia, where there were no river fisheries of any consequence. It was but right that taxation levied on New Brunswick fishermen should also be imposed on Nova Scotia and Prince Edward Island fishermen. Taxation should be equalized, but his hon. friend knew that it was very difficult to make these changes all at once. They had to do it gradually as was the case during the incumbency of the hon. gentleman, when there was such a tax in Quebec and no such tax in New Brunswick. He thought that in

a short time it would be necessary to tax in this manner the fishermen of Nova Scotia, Prince Edward Island and British Columbia. It was in contemplation to impose a tax on British Columbia fishermen.

MR. JONES (Halifax): It costs more to protect river than coast fisheries.

SIR ALBERT J. SMITH said that the \$1,520 mentioned were obtained, he believed, entirely from a tax of \$40 each on pound nets or fish traps. The \$1,289 mentioned as returned from New Brunswick were similarly collected.

MR. DECOSMOS said that he did not think that it was at all desirable to impose any tax on this important industry. Fishermen should be as free from special taxation as machinists, lawyers, or any other class of citizens. He considered that it would be a mistake to impose any tax on the fishermen of British Columbia in any way, shape, manner, or form. He believed that under a mistake the fishermen of Fraser River had asked the Government for the imposition of some kind of taxation, and also that under the terms of Union, they were entitled to equal favours with respect to fisheries, with any other Province. He disagreed with the hon. member for Northumberland (Mr. Mitchell) who, he understood, favoured this taxation, and urged that it should be imposed in Nova Scotia as well as upon New Brunswick fishermen. He (Mr. DeCosmos) would as soon be in favour of putting a special tax on carpenters, or blacksmiths, or farmers, or editors, even gentlemen.

MR. MITCHELL: Or on knights.

MR. DECOSMOS said that this was one of the great industries of the country, and he for one strongly protested against the imposition of any tax in any way, shape, manner or form on any of the fishermen of the Province of British Columbia in this connection, or on the fishermen in the other Provinces of the Dominion.

MR. MITCHELL said the hon. member had put words in his mouth which he never uttered, and attributed to

him views which he never entertained. What he did say was there should be a nominal registration fee for the purpose of controlling fisheries—not for the purpose of revenue. He objected to a tax being put on fisheries for the raising of revenue.

MR. DECOSMOS asked the Minister of Marine and Fisheries what he proposed to do in the way of controlling net fishing in British Columbia.

SIR ALBERT J. SMITH said he had been waited upon by several gentlemen and the matter discussed at considerable length, but no conclusion had been arrived at. He would like to receive any suggestion or information from the hon. member for Victoria.

MR. MACDONNELL said he quite agreed with the hon. member for Victoria that there should be no tax on this industry, because if there was any class of the community who should be dealt with leniently it was fishermen. The hon. member for Northumberland advocated a tax on the fishermen of Nova Scotia because those of New Brunswick were subjected to taxation. Now, there was no reason why such a tax should be extended, he would rather hear the hon. gentleman propose its abolition. The product of the Dominion fisheries in 1876 amounted to \$11,147,950, of which Nova Scotia produced \$6,290,000, or more than one half of the whole, while New Brunswick only produced a fourth of what was produced in Nova Scotia. He quite agreed with the hon. member for Northumberland when he said that if there was any taxation it should not exceed what was necessary in order to protect fishermen in the exercise of their rights. Fishermen were continually quarrelling among themselves, because their rights were not properly protected. He brought this matter to the notice of the hon. the Minister of Marine and Fisheries some time ago, in the expectation of having something done, in order to have disputes arising between fishermen along our coasts settled in a satisfactory manner. He was told the inspectors of the river fisheries had the power of seeing to this, but it did not appear that that power was exercised, and it was quite

useless for all practical purposes. Speaking of the question of taxation, he might remark that no class of men consume more dutiable goods than fishermen. The right hon. member for Kingston had contended for agricultural Protection, but he had never sought to protect the interests of fishermen. Having the honour to represent an agricultural county himself, he was in a position to state that agriculturists produced, on their farms, nearly all the necessaries of life and clothing which they required, so that they contributed very little to the revenues in comparison with fishermen. Our fisheries were one of our great sources of wealth, and yet the Government had never exercised any fostering care over this important industry.

MR. DAVIES said he thought sufficient interest was not taken by the Government in the fisheries of Prince Edward Island. That Province was intersected in all directions by tidal rivers and arms of the sea, which, fifty years ago, were filled with fish, but, by reason of the fish being taken in the spawning season, and sawdust being thrown into the rivers by millers, these streams had been depleted of fish. He was afraid that Free-trade principles would hardly apply to inland fisheries; he believed Protection was wanted. Whether that Protection was afforded by leasing the fisheries to certain individuals or appointing a sufficient number of wardens and overseers, he did not care. There was no part of the world, he believed, where finer streams for sea trout and salmon fisheries could be found than in the Province of Prince Edward Island, but it was necessary that they should be protected, because in the month of October, when salmon ascended these rivers to spawn, they were pitchforked by farmers and others. It was time that a Department had been organized in the Province; but the rivers were not sufficiently protected; perhaps it might be found too expensive at the present time to enforce the laws.

MR. PALMER said that last Session he ventured the opinion that the fisheries of non-tidal rivers belonged to

the owners of the soil, and, consequently, belonged rather to the several Provinces than to the Dominion at large. He would like to know whether since last Session the Department had granted any leases on non-tidal rivers; and whether any means had been taken to discover to whom they belonged to.

SIR ALBERT J. SMITH said he did not think any leases had been granted since last year. Several had been advertised, and tenders were asked in some cases where leases had expired; also in cases where there had not hitherto been any lease. The Department had taken no means to ascertain the real facts in the vexed question of ownership.

MR. PALMER said that if parties received leases of the fisheries in non-tidal rivers, and it appeared hereafter, that the Crown had not the right to dispose of them, the Dominion would be put to very great expense hereafter, when these leases were cancelled. Another matter of vital importance which the Dominion Government ought to consider, was the regulation of net-fishing in the deep sea along our coasts. No doubt it would take a long time to utterly destroy the fisheries in the Bay of Fundy, but the Government should take care that the rights of fishermen were thoroughly understood, and that a proper system was carried out which would render these fisheries valuable in time to come.

MR. MITCHELL said he would call the attention of the Minister of Marine and Fisheries to the fact that a very fair and equitable arrangement was made last year, whereby the fishermen of this country were freed from practical taxation while, at the same time, the Department had the right to charge them with a nominal fee for the purpose of controlling the fisheries. When the hon. the Minister of Marine and Fisheries stated that \$1,520 were collected in Nova Scotia, while only \$1,289 were collected in New Brunswick, he forgot to tell the House that there were four times as many fish taken in Nova Scotia as in New Brunswick. He admitted, practically, that there was no difference between the bay and shore fisheries of these Pro-

vinces, and he (Mr. Mitchell) would like to know why there should be a registration tax in New Brunswick, and not in Nova Scotia. The hon. Minister was quite right in stating that any radical change must be introduced gradually. He tried to make a radical change all at once in New Brunswick, and found that he must go back to first principles. He could not see why the two Provinces should be treated differently. At present the representatives of New Brunswick were liable to be charged by their constituents with having neglected their interests, inasmuch as they allowed a tax which took money out of their pockets, while that tax was not applied to the sister Provinces of Nova Scotia and Prince Edward Island. The system was changed in Ontario and Quebec, and at Confederation it was agreed that such a system as they found existing should be established. But there was no such system in the Maritime Provinces as there was in Ontario and Quebec, and when the Maritime Provinces came into Confederation, it was tacitly agreed by this House, that no change should be made in the fisheries of those Provinces. Since then the same system had been applied to New Brunswick, and the point he wished to make was, that the system of charges upon the fisheries of that Province should be extended to Prince Edward Island and Nova Scotia. These Provinces were exempt, for what reason he did not know. He said, either make them all alike, or wipe off the charge from New Brunswick.

MR. MACKAY (Cape Breton): Had not the hon. gentleman better wait until the people of Nova Scotia petition the House against their being left out of this taxation?

MR. GOUDGE said the difference between Nova Scotia and New Brunswick was that the representatives of New Brunswick, agreed, to permit this system to be adopted in the Province of Nova Scotia they resisted it. The principal reason why it should be applied to New Brunswick, perhaps, was that a change was made on one side of the Restigouche and not on the other, and

the people on the Quebec side complained of it; or it might be that gentlemen wished to preserve the rivers of that Province, and the only way to do so was by the issuing of licenses. The income of revenue was derived from these rivers, the amount received from the shore and deep sea fisheries amounting to comparatively nothing.

**MR. MITCHELL:** You do not understand it.

**MR. GOUDGE** said he understood it very well. His hon. friend (Mr. Mitchell) was desirous of doing now what he dared not do when in power: he wished to increase the taxation of the Nova Scotian fishermen. If any class should be exempt from taxation, it was the hardy but poor fishermen of that Province; besides, a very large portion of the fish was from deep sea fisheries, consequently the argument of his hon. friend fell to the ground. They should resist this tax, or any attempt to force a system upon them that was not required.

**MR. MITCHELL** said he agreed with the principle that the tax upon the fish caught should be swept away, but considered a registration fee was necessary to keep the fisheries under the control of the Department. He said it was right to have such a system of registration to give the Department proper control, but be objected to its being applied to New Brunswick and not to Nova Scotia or Prince Edward Island, and he believed the hon. Minister of Marine would extend it to those Provinces, and to the other Provinces of the Dominion.

**MR. McINNES** said that from the discussion which had been going on for the last hour or hour and a half, one would almost arrive at the conclusion that the only fisheries in the Dominion of Canada were in the neighbourhood of New Brunswick and Nova Scotia. He desired to inform this House that such was not the case, that the western extremity of the Dominion had important fisheries, and that if a tax was proposed to be imposed on the fishermen of that Province, he considered a great injustice would be done from the fact that they, in British Columbia, did not enjoy the advantages of the

Fisheries Clause of the Washington Treaty, which enabled Ontario and the other Provinces to send their fish free of duty into the American market. He must certainly, very strongly object to any tax being placed on the fisheries of British Columbia until such times as they were placed on a par with the rest of the Provinces in other respects. On the Fraser River, at the present time, they had no less than five establishments, shipping something like 125,000 cases of fish per annum, and if any restriction was placed upon them, it would be a great injustice. He considered, however, that the Government ought to establish a hatchery there as early as possible, in order to preserve that industry.

**MR. GOUDGE** said the hon. member for Northumberland (Mr. Mitchell) seemed to think the fishermen of Nova Scotia at present possessed an advantage over those of New Brunswick, and was most anxious that both should be taxed alike. He told them that this tax was only for the purpose of control; if so, they had no need of it in Nova Scotia. The Minister of Marine might use his discretion about taking this tax off New Brunswick, but he (Mr. Goudge) and his colleagues should certainly object to its being applied to Nova Scotia.

**MR. PALMER** said the last speaker had objected to this system being applied to Nova Scotia, on the ground that New Brunswick consented to join the Union and Nova Scotia did not. If this was a ground for the two Provinces being treated differently with regard to this question, he thought the principle should apply with regard to other matters.

**MR. MACDONNELL** said this discussion arose from the fact that New Brunswick gave a certain tax which the hon. member for Northumberland complained did not exist in Nova Scotia. There should be no tax on the fishermen of this country, for the purpose of adding to the exchequer of this Dominion; any tax imposed should be for the purpose of improving the fisheries. The hon. member for Northumberland, while admitting there should be no tax for the purpose of

**MR. GOUDGE.**



revenue, used a childish argument when he complained that Nova Scotia was not taxed equally with New Brunswick. If it was an unjust tax, and injurious to the latter Province, he should rather endeavour to have it abolished than to have it extended to Nova Scotia. This was supposed to be a tax for the benefit of the fishermen; if it were not, it ought to be abolished.

MR. KILLAM said, he believed that New Brunswick did not contribute more to the revenue than Nova Scotia. The Miramichi river had received from the Marine and Fishery Department, for the propagation of fish, no less than 700,000 spawn of salmon, and possibly it was worth while to the people of that locality to pay to the Department a small sum of \$1,200 for the privilege of having fish put in their river. He had applied to the Department to have some spawn put in the river which intersected his county, but could not get them, owing to the impossibility of conveying them thither in safety. He did not consider the license charged fishermen in New Brunswick was excessive, considering the quantity of salmon caught in the Miramichi and Restigouche, and the large shipments made to the United States over the Intercolonial. If this tax on New Brunswick is intended to be continued, the county of Northumberland should not object to paying its share. The Province of Nova Scotia paid \$1,700 annually for fishing privileges, of which the county of Yarmouth contributed nearly one-half, some \$700. The latter county paid \$10 for each fishing license, while in some parts of the Province brush weirs were built by the dozen and no license charged whatever; and in British Columbia those weirs were constructed and no license imposed. He would like to know whether one rule was to be adopted in one part of the Dominion and a contrary rule in another.

MR MITCHELL said the hon. member for Yarmouth had stated that privileges had been given to Miramichi which had not been given to his county in relation to fisheries, and referred to the amount expended on breeding establishments on Miramichi. The amount expended on fish-breeding in

New Brunswick was \$1,388; in Nova Scotia, \$3,803.

MR. KILLAM said that he had not complained of the expenditure in New Brunswick. He merely wished to remark that in Nova Scotia the fishermen were obliged to pay for the privilege of setting nets in front of their own premises, to the amount of some \$1,700, and that in his county they paid one-half the revenue. While his hon. friend objected to the tax levied on the fishermen of Northumberland, he had as good reason to feel aggrieved at the amount levied on the fishermen of Yarmouth. He desired to know whether in all parts of the Dominion the same tax was levied on trust weirs and fish traps or pound nets.

MR. MITCHELL said that under the regulations established three years ago, no fish traps were allowed in the rivers of New Brunswick.

MR. KILLAM said none were put in the rivers of Nova Scotia.

MR. MITCHELL: No; but they were put in the bays. These traps were considered so destructive to fishing interests that they were prohibited except on special application, but his hon. friend's Province had, in this respect, special privileges, being allowed the use of those traps without special permission. The question was not as to more or less taxation, but whether New Brunswick had not privileges which were not possessed by other Provinces.

MR. KILLAM said he did not assert that the county of Northumberland had privileges to which it was not entitled. He did not consider that any improvement could be made on the present system pursued in the Marine and Fisheries Department.

MR. BUNSTER said he would call the attention of the Minister of Marine to the fact that there were no officers in British Columbia to settle disputes with respect to fisheries. There was no proper fish inspection. Through misrepresentation to the Minister of Marine, incompetent persons had been appointed to the work. He differed from the hon. member for New Westminster on the question of a tax,

his opinion being that the fishermen would not mind paying a tax to have the fisheries properly looked after.

MR. PLUMB said there had been a great deal of complaint at Niagara among the fishermen, with reference to the regulations connected with the catching of whitefish. While recommending that the difficulties should be looked into, he would also suggest that steps should be taken to deal with that class of men who, though living on the American side, fish in Canadian waters during prohibited seasons. He also pointed out that shad had been taken for the first time in Lake Ontario. Shad was a very prolific fish, and would, no doubt, take the place of the whitefish, which were dying out.

SIR ALBERT J. SMITH asked the hon. gentleman to communicate with his Department on the subject.

MR. PLUMB said he would do so.

MR. MITCHELL said he believed by a convention, which might be held by mutual agreement, arrangements might be made for the protection of fish in streams that were common to both the United States and Canada.

MR. DAVIES asked the hon. Minister that instructions should be given to stock the rivers of Prince Edward Island with some of the fry bred in Nova Scotia and New Brunswick.

SIR ALBERT J. SMITH: It is intended to deposit some young fry in the spring in Prince Edward Island.

Vote agreed to.

131. Maintenance and repairs of steamers for protection of fisheries..... \$18,000

MR. LANGEVIN: Where is this steamer, the *Lady-Head*, now?

SIR ALBERT J. SMITH: She is at Halifax; and is to be soon sent to Quebec.

MR. LANGEVIN: Was she not required early in the spring at the Magdalen Islands?

SIR ALBERT J. SMITH: She will go on her first trip to the Magdalen Islands.

MR. BUNSTER.

MR. LANGEVIN: Is she to leave Halifax soon?

SIR ALBERT J. SMITH: Yes.

MR. LANGEVIN: When?

SIR ALBERT J. SMITH: I think within a week.

MR. LANGEVIN said he had in his possession letters which stated that the captain and crew of this vessel were now constantly engaged in electioneering in the county of L'Islet. He had no doubt that the hon. the Minister of Marine and Fisheries was not aware of this fact.

SIR ALBERT J. SMITH: I never heard it before.

MR. LANGEVIN said that this was the case. In the meantime the fishery service was neglected. This officer and the crew should be on their ship and engaged in the protection of the fisheries. An improper use was being made of them. He called attention to this matter because he knew that it was yet time to give the necessary order to have them go on board their ship and attend to their duty.

SIR ALBERT J. SMITH said he was not aware that the captain and crew were actively engaged in electioneering, though they had a right, he supposed, if they chose, to take part in the elections. He could assure the hon. gentleman that the movements of the *Lady Head* would in no respect be influenced by the elections. She never went out before the 1st of May, he believed.

SIR JOHN A. MACDONALD: This is an early season.

SIR ALBERT J. SMITH said that the vessel would leave Halifax within a week.

SIR JOHN A. MACDONALD: Immediately after the 1st of May.

SIR ALBERT J. SMITH: I think before.

MR. BLANCHET said that the expenses of the *Lady Head* were in 1875-6, \$10,000; in 1876-7, \$17,000, and in 1877-8, \$20,000, while the rate now proposed was \$18,000. He thought that this rate should be reduced to the figure of 1875, \$10,000. He was not

aware that she was repaired last year, or that she would require repairs next year.

SIR ALBERT J. SMITH said that vessels and steamers every year required more or less repair, but they did not think that this vessel would require as much repair next year as this; consequently the vote was reduced from \$20,000 to \$18,000.

MR. BLANCHET: I do not see Commandant Lavoie's report for the summer before last, in the report of the hon. the Minister of Marine and Fisheries.

SIR ALBERT J. SMITH: It is in the supplement.

MR. BLANCHET: I have not seen his report for a number of years.

SIR ALBERT J. SMITH: You will see it in last year's report.

MR. BLANCHET said that Mr. Lavoie's salary was \$1,400; nevertheless \$448 were allowed him for disbursements. He did not think that this was necessary.

MR. CARON said he would like to know how the captain and crew were paid.

SIR ALBERT J. SMITH: The captain has a yearly salary; he is under pay all the time, and also the engineers, but the crew are only paid from the time they go on board. The crew are not yet on board.

SIR JOHN A. MACDONALD said that this vessel ought now to be ready to go out and protect the fisheries. The captain who was under pay all the time, and who should now be looking after his vessel and its repairs, was electioneering for his uncle Mr. Letellier, in L'Islet county; this was the way in which this Department was managed.

SIR ALBERT J. SMITH: This Department is managed honestly.

SIR JOHN A. MACDONALD: That is not honest.

SIR ALBERT J. SMITH: I say that the captain has nothing to do with the repairing of the vessel.

SIR JOHN A. MACDONALD: Hear, hear.

SIR ALBERT J. SMITH: She is being repaired at Halifax.

SIR JOHN A. MACDONALD: He ought to be there.

SIR ALBERT J. SMITH: He will be there as soon as he is required.

SIR JOHN A. MACDONALD: He ought to be required to be there now.

SIR ALBERT J. SMITH: This steamer never commences her trips before the 1st of May.

SIR JOHN A. MACDONALD: But she is fitted out before that.

SIR ALBERT J. SMITH: The captain has really very little to do with the repairing of the vessel. It is proposed to make the first trip to the Magdalen Islands. The question as to the pending elections in the Province of Quebec will have no effect on her movements.

MR. LANGEVIN said that the attention of the hon. the Minister of Marine and Fisheries was now called to this matter. He would also mention that last spring, during the election in the county of Gaspé, this steamer was used for party purposes—to carry the *Rouge* candidate over to the Magdalen Islands. In fact, Commandant Lavoie was all the time acting as an electioneering agent all along the coast. This was the way in which this officer did his duty; he was electioneering on the coast, from the beginning to the end of the season, instead of protecting the fisheries, the duties for which he was paid. Mr. Lavoie was simply an electioneering agent. This officer should at once be sent about his duty, and should be now looking after his vessel. Either last year, or the year before, this vessel was behind time, and the fisheries were not properly protected. Letters, complaining that this was the case, had been sent up here. Mr. Lavoie was not paid to act as an electioneering agent.

MR. CASGRAIN said he knew Mr. Lavoie, who was a good and efficient officer, and who had done and was now perfectly performing his duty. He had not imagined that the right hon. gentleman would complain of one of his own nominees. Perhaps the right hon. gentleman now regarded this office in

a different light, because he (Mr. Lavoie) had changed his politics. He (Mr. Casgrain) recollected that two employés of the late Government had worked hard against him in his own county, and they were not paid for this service.

SIR JOHN A. MACDONALD: You objected to it did you not ?

MR. CASGRAIN: I did not approve of it at the time. It was against me. I would not like to have public officers interfere in the elections in any county on either side. If Mr. Lavoie helped me I would like to have his assistance, but I would never ask for it.

MR. MITCHELL said that the hon. gentleman (Mr. Casgrain) was very ungenerous when he referred to the appointment of Mr. Lavoie, and attempted to create the impression that this officer had changed his politics since he was appointed. This was not the case. He (Mr. Mitchell) was responsible for this appointment, which was made while he sat in the Senate. It was at the special request of Mr. Letellier de St. Just, then a Senator, that he (Mr. Mitchell) induced his hon. friend from Charlevoix (Mr. Langevin) to consent to this appointment. Mr. Letellier had mentioned the fact that Mr. Lavoie was not a Conservative, but he had said that he did not want to know what a man's politics were. He thought that these matters should be decided without reference to political matters. It was stated that Mr. Lavoie was a good and efficient medical officer, having some knowledge of the sea. He was recommended as a capable candidate, and it was at the special request of Mr. Letellier that he got the appointment, for which he had since received very little thanks. As far as he knew, Mr. Lavoie had performed his functions well, although he had frequently heard that this officer had taken a very warm interest against the party with which he (Mr. Mitchell) had been associated. It did not come with a good grace from the friends of Mr. Letellier and Mr. Lavoie, to make this charge. Mr. Lavoie's politics were well known to be *Rouge* at the time of his appointment, as the hon. member for Charlevoix knows. Perhaps it

MR. CASGRAIN.

would have been just as well if the hon. gentleman (Mr. Casgrain) had not taunted the right hon. member for Kingston with finding fault with one of his nominees.

SIR ALBERT J. SMITH said he thought he could contradict the statement that the *Lady Head* had been used for political purposes last year, at the election in Gaspé county. He recollected distinctly that the facts were as follows: this vessel was going to the Magdalen Islands, and application was made to know whether Mr. Flynn could pass over to the island in her. He had telegraphed to say that this could be done, and also that Dr. Fortin, Mr. Flynn's opponent, should have the same privilege. He had directed the captain to communicate this to Dr. Fortin, and this was all he knew about the matter.

MR. LANGEVIN said he was informed at the time, on good authority, that the vessel was not going to the Magdalen Islands on public business, but that she went there merely to serve the interests of Mr. Flynn. When Dr. Fortin was invited to go also, it was well known that he could not comply; and, in fact, he had not gone in this vessel.

MR. MACKENZIE said that application was made to learn whether the vessel could be delayed, which was refused. Permission was given Mr. Flynn to visit the Magdalen Islands simply because there were no possible means of getting over to the Islands from the place where Mr. Flynn was, unless a stray vessel proceeded in that direction. The hon. gentleman (Mr. Langevin) was, therefore, quite incorrect in his statement. If hon. gentlemen opposite wished to raise a discussion about the use of vessels for political purposes, he dared say that they could meet the case of these hon. gentlemen.

MR. LANGEVIN said that this line of argument would not do. They had the case before them, and it should be discussed. There was no need of throwing out threats about other cases. They held that this was an improper use of public money.

MR. MACKENZIE said he had a perfect recollection of the telegram

being received, asking permission to take a passage in the vessel, and permission was given on condition that the vessel should not be delayed. As the hon. Minister of Marine and Fisheries had further explained, the same privilege was given to Mr. Flynn. These were the sole facts of the case; so far as the Government were aware, the vessel had not been used for political purposes, nor in the interest of any candidate.

MR. LANGEVIN said he would telegraph to his informant, and submit to the House what detailed information he might obtain. But he would repeat, that the officer to whom he had referred was certainly using his influence and his Government position for party purposes. He was an electioneering agent, and if his (Mr. Langevin's) hon. friend from Gaspé was present, he would corroborate this statement.

MR. MITCHELL said that, during the time he administered the affairs of the Marine and Fisheries Department, no vessels were used for political purposes.

*Vote agreed to.*

132. Fish-breeding, Fishways and Oyster Beds..... \$16,000

MR. MCKAY said he wished to draw the attention of the Government to an oyster-bed in his neighbourhood, which was leased ten or eleven years ago, on the understanding that the party holding the lease (which extends over 21 years) was to use it for the cultivation of oysters. Now, the person who held the lease of the oyster-bed had made no use of it whatever; not a dollar had been spent on it, nor a bushel of oysters taken from it. Formerly, the farmers of the locality used the mussel mud collected there for the purpose of fertilizing their lands, but they were now prevented from doing so. He had been in correspondence with the Department during the last five years on the subject, but nothing had been done, though the reports of the overseers and inspectors who had examined the oyster-bed corroborated his statements. The farmers of Prince Edward Island were allowed to take mussel-mud without any restriction whatever; and not only so, but large quantities of it were

forwarded by the cars to great distances inland. He thought, therefore, the Government should cancel the lease in question, and that the farmers in Nova Scotia should be permitted to take what mussel-mud they required for the fertilization of their lands.

SIR ALBERT J. SMITH said he had given a good deal of consideration to this subject, but he could not see his way to cancel the lease. The Government of Nova Scotia would require to be approached in the matter before anything could be done.

MR. MCKAY said he would ask the Government to allow farmers to take mud for the enriching of their lands.

MR. MACKENZIE said that was a matter with which the Government had nothing to do.

MR. LANGEVIN asked whether any new artificial oyster-beds had been made.

SIR ALBERT J. SMITH said he believed there was one in Prince Edward Island.

MR. MITCHELL said the oyster bed in question had been a great success, and their oysters had, during the last two or three years, driven American oysters out of the market, between the months of September and June when they could be obtained. He regretted to say that the Caraquette oyster-beds seemed to be used up, and he would ask Mr. Speaker if he could give some reason therefor.

MR. SPEAKER said Caraquette oysters were sent to Montreal and elsewhere as formerly, though only at a certain season.

MR. MITCHELL said they had become so small that they were really of no commercial value.

MR. SPEAKER said he could only recommend, as he had formerly done, that portions of the Caraquette oyster-beds should be set aside as a reserve for future years. To clear them altogether would be to deprive a number of poor people of a means of subsistence, but they might be preserved in the way he had indicated. He believed as many as 19 or 20 schooner loads had sometimes left Caraquette towards the close of the season.

MR. MITCHELL said foreign schooners came in there and took away oysters indiscriminately, without any authority or permit to do so.

MR. SPEAKER said he believed, on the contrary, that the people in the neighbourhood sold them at a cheap rate to the schooners.

MR. COSTIGAN said it would be a great boon if a fish-pass was erected in the river St. John. It might be urged that the Grand Falls might prove a serious obstacle, but to this he would reply that a channel had been already blasted out there for another purpose, and that by an expenditure of from \$1,000 to \$2,000 a perfect fish-pass could be obtained. Another matter to which he would refer, was a claim made by a man named Violet, who, about four years ago, was shot by an official in the employ of the Government, for an alleged trespass. This poor man had been obliged to sell land, home and furniture, to pay doctors' bills, and the fact that the Government still retained the person, who committed the act, in their employment, was a sufficient reason why the claim should be preferred against them. When the matter was formerly before the House the justice of the claim was admitted by members on both sides; he would like to know whether the hon. Minister had made up his mind on the subject.

SIR ALBERT J. SMITH said the Government saw no reason to alter their decision. The case might be a very hard one, but he wondered that the officer had not been charged with a criminal offence if he was culpable.

MR. COSTIGAN said that if the case was such that the Minister of Marine and Fisheries recommended criminal proceedings against this officer, the Government certainly ought not to retain him in their employment.

MR. MITCHELL wished to know on whose recommendation changes in the fishery regulations had been made in his county.

SIR ALBERT J. SMITH said the changes had been made in compliance with a numerous signed petition, which he had no objection to submit to the hon. gentleman.

Vote agreed to.

MR. SPEAKER.

#### XVI. SCIENTIFIC INSTITUTIONS.

133. Observatory Quebec.....\$2,400

MR. MITCHELL said it was very extraordinary that in this Department the superannuation tax should be paid by the Government instead of the officers.

SIR ALBERT J. SMITH: It is always paid, I understand.

MR. MITCHELL: It was not paid in my time.

SIR ALBERT J. SMITH: I believe it is deducted from the officers' salary, but I will make enquiries.

Vote agreed to.

134. Observatory, Toronto..... \$4,800

MR. MITCHELL: There is the same objection in this item. If it is found that this superannuation tax is paid out of the Public Treasury, I think the officers in other Departments should be placed on the same footing.

Vote agreed to.

135. Observatory, Kingston.....	\$500
136. do Montreal.....	500
137. do New Brunswick	850
138. Grant for Meteorological Observatories, including instruments and cost of telegraphing weather-warnings .....	37,000

MR. LANGEVIN said that he considered this was \$37,000 for a very small thing, and he should like to know the practical benefit to the country.

SIR ALBERT J. SMITH said the service had been of great public service in giving indications of coming storms; and, as to the cost, it was certainly a large sum, but he was pressed constantly for more money for this service.

MR. LANGEVIN said he was glad that the hon. Minister had not conceded a larger amount this year, and would suggest that an attempt be made at reduction.

MR. MITCHELL said he believed the service, when in proper working order and properly conducted, would be of great benefit to this country. He believed that to the maritime interests, to say nothing of the farming interest, it would be of great service. The United States service, on which this had been modelled, required a vote of something

like \$70,000 annually; and, in addition, there was a charge for the telegraph branch of the army. He was responsible for establishing this service in the country, merely as an experiment, and, of course, it would take some time to render it efficient. In England and the United States no ship would go to sea without consulting these reports as to the probable storms, and sometimes a vessel would put back for a day or two in consequence of them. He believed this was a service to be encouraged. He held in his hand a letter from the head of the University of New Brunswick, in which he complained of the great injustice that was being done the college, by paying the amount of appropriation to an individual, instead of to the college itself. He (Mr. Mitchell) wished to know why the change had been made.

SIR ALBERT J. SMITH: I recollect something of the correspondence, but not the terms of it. I will look into the matter.

MR. MITCHELL asked why the telegraph line, for which appropriation had been made last year, had not been built.

SIR ALBERT J. SMITH said the amount appropriated, \$10,000, had not been sufficient. The Montreal Telegraph Company had refused to build the line for that amount. It was proposed this year to vote an additional \$5,000, which, with the former appropriation, would suffice.

MR. MITCHELL said the Committee had prepared last year, or the previous year, a valuable report recommending telegraph lines to be built to certain points, which would benefit the principal ports. In his own report, it was recommended that Point Escuminac, a fog-signal point, should have telegraphic communication with Chatham, about fifteen miles distant. This would prove of great service to vessels in distress. A sum should be appropriated for this purpose out of the additional \$5,000.

SIR ALBERT J. SMITH said the Government would try to get value for their money.

MR. MITCHELL said he could get nothing done for his county.

SIR ALBERT J. SMITH said that was owing to the fact that so much had been done for the hon. member's county already.

*Vote agreed to.*

#### XVII. MARINE HOSPITALS FOR SICK AND DISTRESSED SEAMEN.

139. Marine and Emigrant Hospital  
of Quebec..... \$20,000

MR. MITCHELL said reforms had been promised in this item for several years. Had the hon. Minister equalized the cost of the patients and made the city of Quebec pay its share of the expense?

SIR ALBERT J. SMITH said no change had been made.

MR. MITCHELL said the Report showed that 11,000 seamen, 502 emigrants, and 12,412 residents had been treated in the hospital; thus, over one-half were residents. The amount subscribed by Quebec, he believed, was only \$5,000, utterly out of proportion to the number of patients from that city.

SIR ALBERT J. SMITH said the Government had been obliged to reduce the amount to \$2,000.

MR. MITCHELL said the late Government obtained \$4,000. The last year they were in power, he, as Minister of Marine and Fisheries, opened a correspondence with the Quebec Government, on the recommendation of the hon. the First Minister, who had complained of this Government sustaining the sick and disabled of the city of Quebec at the expense of the whole Dominion, with a view to obtaining an increased amount. While the hospital cost \$20,000, Quebec only subscribed \$4,000. That correspondence had been going on when he left office. Yet, in place of getting a proportionate allowance from Quebec, about \$11,000, the Government had reduced the amount.

SIR ALBERT J. SMITH: The Quebec Government refused. It is a very hard case, but it is almost impossible to make a change.

MR. BLANCHET said the hospital was supported by dues collected from the shipping, which amounted to \$15,723, and the total amount collected in the Province of Quebec was a little over \$19,000. The excess was, therefore, but \$300. True, there was a disproportion between the number of mariners and residents attended and the amounts paid by each, but that could not be helped. Were an epidemic to occur, the balance would be greatly in favour of the seamen. There was cause for congratulation that so few accidents had occurred and such a small amount of sickness had existed among the seamen frequenting the port of Quebec.

MR. MITCHELL said the hon. member thought the country ought to be congratulated, because \$20,000 had been collected for the sick seamen's fund, and that more than one-half of it had been expended on the residents of Quebec. This money had been collected from seamen to attend to their sick, and should be used for that purpose alone. This was an abuse of a public trust, and Parliament should not allow it to continue. If the Quebec Government refused to pay their pro rata share of the expense, the seamen's dues should be reduced as they had been before, since Confederation, and the residents of Quebec refused admission.

MR. BLANCHET said the hon. gentleman had been in power many years and had not been able to reform the system. In the Estimates of 1873-4, the appropriation asked was \$24,000. Now, the amount asked was \$20,000, and the staff in charge of the Administration was exactly the same. No institution in the country was conducted more economically than the Marine Hospital at Quebec. Were his hon. friend to return to power, he would not be able to change the system.

MR. LANGEVIN said there were nine medical men on the staff who were paid £300, amounting, on an average, to about \$400 each.

MR. MITCHELL said he trusted the Minister of Marine would endeavour to impress upon the Government of Que-

bec their duty to pay, at least, the \$1,000 this Government used to get out of them, towards a general hospital for sailors. He found, by the Estimates, that \$373 were paid for the insurance of this building. He understood that it was the policy of the Dominion Government not to insure their buildings. If they were going to insure, this should be done generally.

MR. CARON said he thought it would be very poor policy on the part of the Government to close this hospital up during winter, as it must be heated to prevent the building from being damaged; also, that the city of Quebec should pay a certain sum of money proportionate to the use made by the people of this institution for its maintenance, and it was a matter fairly open to discussion, whether the amount now paid should remain as it was or be increased. It was, however, not fair to ask the public of Quebec, who could do without this hospital, to pay as much as the mariners towards the keeping up of this institution. He protested energetically against the latter being called upon to pay the same as the mariners, for whom this establishment was maintained. He believed that the use of it for the benefit of the few sick who went to it from the city, did not increase its expenses. As far as salaries were concerned, if all the staffs were placed on an economical footing, no complaint would be made. The gentlemen who attended it were very able, and their salaries were very small indeed. He did not see that, in fairness or justice, these could be reduced. Between \$2,000 and \$4,000 would be a fair sum to pay for the services the city expected to obtain from this institution.

MR. MITCHELL said that this hospital was used by the city of Quebec at all seasons of the year. He thought that it was unjust to tax the seamen for the support of an institution from which the people of Quebec obtained a much larger share of benefit than they themselves did.

MR. LANGEVIN said that this question was discussed some years ago, when it was found that this sum, with a small reduction, would be required



even if no patients from the city were sent to the hospital. If he remembered right, the vote was then \$24,000, though it was now reduced to \$20,000. He did not think it would be unfair to ask the Quebec Government to pay \$4,000. Even if no city patients were admitted, this hospital would cost from \$15,000 to \$16,000 a year.

*Vote agreed to.*

140 Montreal General Hospital	\$3,000	
Other Ports in Quebec..	2,000	
		\$5,000
141 St. Catharine's Hospital,		
Ont. ....	500	
Kingston Hospital, Ont.	500	
		1,000
142 Halifax General Hospital	3,500	
Other Ports in Nova Scotia	11,250	
		14,750
143 Hospital of St. John...	4,000	
Other Ports in New Brun-		
wick.....	7,750	
		11,750

**MR. LANGEVIN:** Where can we find the number of the patients that were treated in these hospitals—in the Halifax General Hospital and in the other hospitals.

**SIR ALBERT J. SMITH:** In Halifax, we have an arrangement similar to that in force in Montreal, to pay so much a day.

**MR. LANGEVIN:** How much?

**SIR ALBERT J. SMITH:** We cannot tell precisely. Some years it is more, and some less. The number is not given.

**MR. LANGEVIN** said he would suggest that, in future, these reports should give the number of patients admitted into these hospitals; the number of days they remain, the diseases with which they were attacked, the cost per head, etc., as these statistics would become important. They could then make comparisons in these regards.

**SIR ALBERT J. SMITH:** In Halifax we pay \$5 per week per patient. I can get the information my hon. friend desires on the points mentioned.

**MR. MITCHELL** said that great discrepancies in the charges existed; in Montreal, 90c. a day were paid; in Halifax, 71c. and a fraction; in Mira-

michi, 40c., and in St. Andrews, \$1.50 a week. He admitted that the charges were not more regular under his administration; but, nevertheless, it would be well to have these matters looked into.

*Vote agreed to.*

144 Ports in British Columbia.....	\$4,000
145. Ports in Prince Edward Island	3,000
146. Expenses of shipwrecked and disabled seamen.....	8,500
147. To reimburse Board of Trade, London, for expenses in connection with ditto.....	3,000
XVIII. STEAMBOAT INSPECTION.	
148. Salaries, &c., in connection with Steamboat inspection.....	13,990

#### XIX. INSPECTION OF INSURANCE COMPANIES.

149. Expenses in connection with the inspection of Insurance Companies.....	6,000
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**MR. TUPPER** asked the Minister of Finance whether he had given further consideration to the question discussed last Session, as to the propriety of adopting a system of Governmental life insurance

**MR. CARTWRIGHT** said the matter had received considerable attention, and it was not deemed expedient, having regard to the extremely distressed condition of the country, to adopt the principle in the meantime. Besides, the Government had not been able to obtain as much information as they thought desirable.

**MR. LANGEVIN** said that while the House was asked to vote this \$6,000, under the Statute 38 Victoria, chap. 20, section 23, the salary of the inspector of insurance was added, making altogether \$10,000. Last year, however, the expenditure only reached \$7,512.

**MR. CARTWRIGHT** said it would be noticed that the salary of one clerk was only paid for three months, and, if other items were taken into consideration, it would be found that the actual expenditure would amount to \$8,200 or \$8,300. The expenditure for printing this year might also be larger, as the reports would be much more voluminous than in former years. He did not propose to expend a penny more than was required, but it must be recol-

lected that, since 1876-7, the work had greatly increased, in consequence of a great many more insurance offices being brought under the operation of the Act. He was not prepared to say the exact figure required, but his impression was that it would be something over \$9,000, and, as it was inconvenient to be taking supplementary votes, he proposed that the item should be allowed to stand as placed on the Estimates; and if, next year, it was found to be materially less than \$10,000, it could be reduced.

MR. MITCHELL asked if it was a fact that several foreign companies had given notice to withdraw their deposits?

MR. CARTWRIGHT said such was the case, but they could not withdraw till they had satisfied the claims of Canadian holders.

MR. LANGEVIN said that if a larger sum than was necessary was voted there would be a tendency on the part of the officers to spend more than they actually required.

MR. CARTWRIGHT said that though \$10,000 were voted in 1876-7, the Department were not induced to expend that sum. He would, however, look into the matter before concurrence, and if he found that the gentleman's suggestions were practicable he would adopt them.

MR. PLUMB said that with respect to the inspection of these insurance companies, he would like to ask whether the Government took the responsibility of sending out officers to inspect these companies, and in what manner was the inspection carried on.

MR. CARTWRIGHT said the Inspector visited all these companies once a year, and sometimes oftener, and made an examination into their condition. They were also obliged to return him a detailed statement of their affairs, and the Government possessed power to demand further information if they were of opinion that the information supplied was not sufficiently full. This was the present mode, and, he might add, that it had been productive of beneficial effect; several companies that probably would

MR. CARTWRIGHT.

have gone on and become hopelessly insolvent, had been induced to put themselves into a solvent state or to discontinue the business. The work was done by the officers of the Department, and at present it had not been necessary to call in other assistance, although it might be necessary under certain circumstances.

MR. MITCHELL said he had to complain each year that there was a company at St. Catharines which extended its operations all over the country, in all cases refusing to pay its claims. It sheltered itself under the plea that they had received a charter from the Parliament of Ontario, and, therefore, the parties who had effected insurances had no hold upon them. The company admitted claims against them, but refused to pay.

MR. CARTWRIGHT said the power the Government had over these companies was in refusing the license. In the present case all the Government could do was to notify the company that they must cease doing business in the way they were doing. He believed it was notified by the Minister of Justice to cease operations. It was his opinion that parties would have a good ground of action against the company for obtaining money by false pretences.

*Vote agreed to.*

#### XXI. GEOLOGICAL SURVEY.

150. Geological Survey..... \$50,000

MR. LANGEVIN said that \$6,050 was a large amount for maps and reports. Perhaps the hon. Minister would state the number of these maps that were published, where published, and how they were distributed.

MR. MILLS said they were now printed at Montreal; each member of the House received two copies, and sometimes more. He believed 4,000 were printed, but he would bring down the whole details of the information asked for.

MR. CURRIER asked what arrangements had been made for removing the geological museum to Ottawa. It was said last year, that arrangements were about being made for its removal.

MR. MILLS said it would require the expenditure of a very considerable sum to furnish a proper museum, before that branch of the Department of the Interior could be transferred from Montreal to Ottawa, and, until a proper building had been erected here, no steps could be taken. It would, certainly, be more convenient if located in Ottawa. In Montreal, they were paying \$1,000 per annum for rent, and this sum, if capitalized, would be something towards the expense of the new erection.

MR. LANGEVIN said they were called on to vote \$50,000 for geological surveys, without having any report from the Geological Department as to the way in which the money had been expended, or what progress had been made.

MR. MILLS said the report was prepared, and would shortly be published.

MR. TUPPER said this was the first time the House had been asked to vote money in advance of having a report.

MR. MILLS: It has always been the case in this item.

MR. TUPPER said he was quite satisfied that the report was, at any rate, furnished during the Session. In the absence of a report, the Minister of the Interior ought to favour the House with an outline of what had been accomplished. It might be extremely convenient to the Government to pay \$6,000 or \$7,000 per year to a partizan printing company, the *Herald Publishing Company* of Montreal, to publish this report, but the public would feel more assured that justice was being done to the revenue of the country if the work had to be let out by contract in the usual way. The House should not be called on to vote this money without having an explanation from the hon. the Minister of the Interior, as to the amount of work done, and how the money had been expended.

MR. MILLS said the hon. gentleman would find in his report the information he now asked for, giving the districts in which geological explorations were carried on, the general outlays, and the work done up to the beginning of the winter. There was the work of

explorations done in British Columbia by two exploring parties; the exploration of the phosphate regions about Ottawa, the coal regions of Cumberland and St. John, Quebec, and the copper mines in that Province. A full and complete detail in regard to these explorations would be given in the report. The report was being published at the contract price paid previously to Dawson, publisher in Montreal.

MR. BOWELL said the work could be done cheaper in Ottawa. The reason given for having the printing done in Montreal was, that it would be more convenient for the Geological Department in having the proofs examined, but there could be no difficulty in sending the proofs to Montreal. He did not see why the hon. member for Cumberland should find fault with the Government for having this work done by a partizan newspaper establishment. If there was any truth in public rumour, there were members in the Cabinet interested in that establishment. It was known a venerable Senator was interested in it, and it was necessary, for party purposes, that those devices should be adopted to prevent those difficulties occurring to the *Herald Company* which had occurred to another Government organ. The probabilities were, that the sums paid to the different printing offices throughout Quebec, especially the Montreal *Herald Company*, were much larger than it was found necessary to pay in the city of Ottawa; but, until the accounts were before the House, it was impossible to say. Judging, however, from the past, and from the evidence of the Postmaster-General, he thought they would be justified in drawing the inference that the amount paid for printing the Geological Report was much larger than it would have been if the work had been done in this city. The Minister of the Interior shook his head, but until he had seen the account, he (Mr. Bowell) questioned whether he was in a position to give a negative. He supposed this system would be carried on, however, until some action was taken in Parliament to expose the action of the Government in subsidizing their partizan

press, and allowing money to be paid to institutions in which members of the Ministry had large interests. That might not be true; but if so, it would be well for the Minister of the Interior to say that none of his colleagues had any connection with the Montreal *Herald* Company.

MR. MITCHELL: They cannot say that, because we know to the contrary.

MR. MILLS said he did not know anything about the matter. His deputy had called his attention to the fact that the Geological Report had been printed at the *Herald* office, and at a rather lower rate than it was done by Dawson or Lovell, and this year it had been printed at the same place. The Geological Report had always been printed with more care and on better material than the reports of the public departments; and Professor Selwyn, who was in charge of this branch, had insisted on its being done in Montreal, because it was impossible to get the scientific or technical portion of the work done in Ottawa, and to keep a person here constantly to revise the proofs, would have added to the expense.

MR. MITCHELL said he was surprised that the hon. gentleman should admit that one of his servants had dictated to him where certain printing should be done. The work had not been let in the proper manner, but had been given to a company in which a Minister of the Crown had been, and he believed still was, interested. He supposed it was for having objected to this, that he (Mr. Mitchell) had been served up with a column of criticism, tinged with abuse, in the columns of the *Herald*. He did not see why they should abuse him. The general manager of that paper was a particular friend of his, but when he received a *quid pro quo*, he supposed he had to do the abuse. There was one gratification when the press attacked members—they could have a little shy at them from their places in Parliament. If the Minister had advertized for tenders, he would have had this work done for a great deal less than either Mr. Dawson or the

MR. BOWELL.

*Herald* Company had done it for, owing to the general depreciation of the prices of all kinds of work.

MR. BOWELL said he knew this report was usually printed in better style than others, but surely that could be done in Ottawa as well as in Montreal. They had the Finance Minister's Budget Speech printed on gilt-edged tinted paper, with nice bronzed covers, and costing a good deal.

MR. MITCHELL: The country does not pay for it.

MR. BOWELL said the country did pay for it, and it was one of those jobs that ought to be put an end to. In 1874, it cost \$590.55; in 1875, \$433.65; in 1876, \$1,330.75; in 1877, \$755.72. He had been unable to get the return of the number of copies printed in each year; but in 1877 the number of copies was 12,240, and if that cost \$755, they could calculate what number must have been printed for \$1,330 the year before. In these four years no less than \$3,100 had been paid out of the funds of the country for the printing of Budget speeches.

MR. POPE (Compton) What was done with them?

MR. BOWELL said no doubt they were used to enlighten the benighted electors of the county of Carleton. He did not know who distributed them, but if his information was correct they were sent out as electioneering pamphlets to convert the people generally to the views of the Government. The work was given to favourite offices, which charged what they pleased for the publication. They were not taken from the *Hansard* report or done by the Parliamentary Printer under the contract, as, if necessary, it should be done. It was given to such newspapers in Ottawa as supported the Government and abused the Opposition. If his hon. friend from Northumberland (Mr. Mitchell), abused stockholders in newspapers who sat on the Ministerial benches, he must expect abuse from their papers in return.

MR. MILLS: I do not know of any stockholders here.

MR. BOWELL said it might be true that there were not, but he should be

glad to know if every other Minister could state the same and tell the truth.

MR. MACKENZIE: I can, for one.

MR. HUNTINGTON said he was sure the hon. gentleman would be gratified to learn that he was not a stockholder in the *Montreal Herald*. He should not be at all ashamed if he were a proprietor of that paper, but he was not now and never had been. He had held some stock in the *Herald* in trust, but he had supposed that his private affairs belonged to himself, and he had never taken the trouble to contradict the rumour which had been repeated in the House to-night. He took the present opportunity, however, to say for himself that he was not a stockholder, and he believed no member of the Government was a stockholder in the *Montreal Herald*.

MR. LAFLAMME said that as he might have been suspected and pointed at by the gentle insinuation of the hon. member, he could say, also, that he had had no interest in that paper since he became a Minister.

MR. MITCHELL said he had always understood that the Postmaster-General was a member of the company which bought out the original company, and was a stockholder. He had never heard that he had held the stock in trust. He was gratified to learn that the hon. gentleman was free from the imputation of deriving benefit of doing the printing of the Geological Department. He had also heard that the Minister of Justice was once a stockholder. He did not blame them. He should like to be one himself. It was a well-managed concern, had a large commercial patronage, and he had no doubt a large Government patronage. As a partizan paper it was unsurpassed—except by the *Globe*.

MR. BOWELL said he thought the Postmaster-General should be thankful for the opportunity of setting himself right in this matter. While he agreed with him that no one had a right to interfere in his private business, it ceased to be a private business if a Minister of the State was interested in any

establishment upon which the Government were bestowing their patronage, and from which a large profit was derived. There were businesses in which a Minister of the State might be interested, into which the House had no right to inquire, but the House had a right to enquire into the truth of such a rumour as this. The Minister of Justice should also be thankful that he was able to correct the false impression that was abroad. It was known that after the last Session of Parliament one Minister had been obliged to resign his seat, because he was connected with just such transactions, and the result was that he was rejected by the people.

In answer to MR. DOMVILLE,

MR. MILLS said that they did not expect to carry on any geological explorations in the Icelandic district this Session.

MR. MITCHELL said he was handed a memorandum by the hon. member for North Hastings, which showed that the cost of printing the Budget Speech in 1874-5, 1876-7, amounted to a total of \$3,110.91, but he could not believe that this statement was correct. In 1875, \$433.15; 1876, \$1,331.35; and 1877, \$750.92.

THE CHAIRMAN said that the hon. gentleman was out of order.

MR. MITCHELL said he could not believe that the Government had squandered over \$3,000 in publishing financial speeches. He would refer to this matter at another time.

MR. LANGEVIN said that a number of advances were mentioned. He wished to know how and why these were made.

MR. MILLS said that these advances were made to these gentlemen when they went out on exploring expeditions. They must all go to their respective fields for the current year before the 1st of July, and the advances had to be made on that account.

MR. MITCHELL asked, why the Government should insist on this work being done at Montreal, when it could be performed much cheaper at Ottawa? The only reason given was that the Department would be more immediately under the superintendence of the

officer at Montreal; but why not, as was suggested last year, remove that Department from Montreal? He would also like some information as to a charge made in connection with organic remains.

MR. MILLS said he must refer the hon. gentleman to page 37 of his report for information as to the work performed by Mr. Whiteheaves, who was preparing a work on the palæontology of the country, illustrative of the organic remains to be found in the various geological strata of Canada, particularly of British Columbia.

MR. MITCHELL said he noticed that a charge of \$3,942 was made for sending down specimens to the Philadelphia Exhibition, and he considered that the sum set down was enormous.

MR. MILLS said he believed the entire cost amounted to nearly \$10,000.

MR. BUNSTER said that notwithstanding the amount of money devoted to geological surveys, British Columbia was in this respect totally neglected. He felt sure that if the Dominion Government would pay more attention to the Province, the influx of population would more than compensate for the outlay. Some gold fields had lately been discovered in British Columbia, and the necessity for geological surveys became more urgent.

MR. MILLS said the expenditure for these surveys was larger in British Columbia than in any other Province.

MR. DOMVILLE said New Brunswick and Nova Scotia were comparatively neglected. There were some very valuable seams of coal to be found in these Provinces, and instructions should be given to the geologists in the service of the Government to make exploratory excursions there.

MR. MACKAY (Cape Breton) said that when the geological formation of a country was settled, it became the duty of private individuals, and not of the Government, to explore and develop the mineral resources.

MR. MILLS: Hear, hear.

MR. TUPPER said that, but for the "hear, hear" of the hon. Minister of the Interior in reference to the statement of the hon. member for Cape Breton,

MR. MITCHELL.

he should not have spoken. He joined issue with the hon. member for Cape Breton. He believed Parliament did not spend this money for the purpose of elucidating certain theories with reference to the geological formation, but for the purpose of enriching the country by carrying these explorations to a practical issue, and showing the mineral wealth of the country. Take, for instance, the anthracite coal in New Brunswick; who was more interested than the Government in bringing scientific information to bear upon it, so as to secure as far as possible the valuable results which would flow from the working of those mines, which would not only be of benefit to the locality, but would increase the trade and revenue of the country? Look, too, at the mineral region of Spring Hill; those mines had resulted, not only to the advantage of the parties who had speculated in connection with these mines, but of enormous practical benefit to the Government and to the country. At this moment the Intercolonial Railway was being worked at a great saving per annum, in consequence of these mines. In the same way, wherever the Government had it in their power, by sending Mr. Selwyn and the staff under him, to assist in the development and exploration of those sections of the country where valuable minerals were supposed to lie, this would not only pay the money expended, but would benefit the country a hundred-fold.

MR. BLANCHET said that if the exploration of the country was left in the hands of private individuals, very little progress would be made, and very little information be obtained of the natural resources of Canada. He was strongly in favour of the museum and matters relating to geology being removed to Ottawa. He saw that nearly \$2,000 was spent in Montreal for rent and taxes, and \$563 for fuel every year, and the interest on that sum, capitalized, would be nearly sufficient to erect a building and all the necessary accessories.

MR. MACKAY (Cape Breton) said he would repeat that it was not the duty of the Government to do anything

more than to mark out a certain district, showing its geological formation; but it was not the duty of the Government to explore or examine a seam of anthracite coal as to its thickness and extent. This was more a matter for private enterprise.

MR. DAVIES said he agreed with the hon. member for Cape Breton, and thought private enterprise was all that was required. He really thought the Government could not be expected to do more than to prepare a geological survey.

MR. PLUMB said he was astonished that the hon. member for Cape Breton should make such a statement. It was his opinion that it was the duty of the Government to, as far as possible, discover the hidden resources of the country for practical business purposes, and to encourage speculation in the development of those resources.

MR. DAVIES said he did not think it was the duty of the Government to sink shafts in search for metals.

*Vote agreed to.*

#### XII.—INDIANS.

151. For Indians of Quebec..... \$2,200

MR. BOWELL said, before the item of \$2,200 for Indians of Quebec was passed, he desired to call attention to the fact that there was no report from the agent of the Lake of Two Mountains tribes of Indians in the report of the Minister of the Interior. Why was this? He understood the Government had an agent at Oka, and that he had made a report upon the state of these Indians. It would also be well to have a statement from the Minister of the Interior as to the progress of the suit which had been entered to test the legal rights of the Oka Indians in that locality.

MR. MILLS said the Government had no fund specially applying to the Oka Indians. The Seignior of Two Mountains had been claimed by the Indians as their property, which claim was resisted by the gentlemen of the Seminary. That had been a matter of dispute for several years. When the hon. member for Charlevoix was Secretary of the Provinces, he made a report on the subject. He (Mr. Mills)

thought there had been an Order-in-Council passed affirming that the title to the Seignior was legally vested in the Seminary. Since then a number of gentlemen had interested themselves on behalf of the Indians, and insisted on saying that the property belonged to the Indians, and was held by the gentlemen of the Seminary simply as trustees. Considerable feeling existed on the subject, and difficulties arose last summer. A number of the Indians had been arrested for cutting fences and other timber on what they claimed to be their property, but which the Seminary claimed to be theirs. A good deal of ill feeling was engendered, property was destroyed, and criminal actions were taken out in consequence, and the Department having charge over the entire Indian population, under the British North American Act, sent a person there to reside upon the land and report upon the subject, to advise the Indians and endeavour to smoothe over the difficulties as far as possible, and prevent the Indians from breaking the law. That agent, a young man named McGurr, formerly a resident of this city, was still there. He had not been sent to make any special report on the subject. That was a matter upon which the Department sought the advice of the Department of Justice. No special report was made by this agent, but the Department received letters from him from time to time in regard to the matter.

MR. BOWELL said the public understood that a report had been made on the subject. It seemed to him, after what had taken place, that the Government which, as the hon. the Minister of the Interior admitted, had a general supervision over all Indian tribes imposed on it under the Confederation Act, and also imposed on the old Parliament of Canada by the Imperial Government, should not have allowed these difficulties to have been carried to excess. He had put the question last Parliament, as to the course to be pursued by the Government in order to test the rights of the Indians in that locality in the courts of law, and he had been informed that the Government still

intended to advance the money in order to contest these rights. It had been reported that a snap verdict had been obtained, either through the neglect of the lawyer for the Indians or by sharp practice upon the part of their opponents. It had also been charged that this question had been used for political purposes. On these points, however, he gave no opinion; but what position had the Government taken in this matter? It seemed to him that the Government had been remiss in its duty in not pushing this point to an issue in order to settle, beyond doubt, the rights of the Indians in that locality. He had read with great care the report of the hon. member for Charlevoix on this subject, which was accepted as exhaustive by his successor, who refused to reopen the question, and could not fail concluding that while the gentlemen of the Seminary had rights to the soil, and, perhaps, the fee simple in it, there were reservations in all the deeds granted and in the Act affirming their title, and certain duties imposed on them towards these Indians. The difficulties which had arisen out of this dispute between the Seminary and the Indians should have impelled the Government to effect a settlement and prevent their recurrence in future. He might be wrong in his inference, but from his reading of the law and of the report of the hon. member for Charlevoix, he could but draw the conclusion that there were certain duties imposed upon the Government in connection with these matters, and also upon the gentlemen of the Seminary by the deed of cession and subsequent legislation, which should be faithfully fulfilled.

**MR. MILLS:** What are those duties?

**MR. BOWELL** said it was unnecessary for him to point out those duties. If the hon. Minister was prepared to state that no duties devolved on the Government, and that the Indians had no rights, then the position of the Government would be known. If the Indians had no rights, or supposed rights, the Government should not have advanced money to test their legality in courts of law.

**MR. MILLS** said he had not understood to what the hon. gentleman alluded in many of his observations.

**MR. BOWELL.**

The duties imposed on the Seminary were wholly spiritual. There was not a single provision that they should feed and clothe the Indians and provide places of residence. If there was a trust imposed upon the gentlemen of the Seminary, it was one over which the Government of Canada had no control whatever. If any Government had any control over the matter, it would be the Government of Quebec. He admitted, if the Indian had a right to the property, that right should be protected. That was the only matter with which this Government had any concern. Certain gentlemen of Montreal held very strongly to the opinion that the Indians had certain legal and equitable rights in this property, and that these rights were capable of being successively maintained in courts of law. His predecessor, upon the advice of the Minister of Justice, had said to these parties, if you will select a favourable base to ascertain whether the Indians have any title, the Department will pay the expense. Those gentlemen engaged a legal gentleman of Montreal to test these rights. They selected the strongest case they could. The matter was deferred from time to time, and when the case came for trial, they failed to put in an appearance, and judgment went against them by default. So far as he knew, matters still stood precisely in that position. He was not going to say to-night whether these opinions were well or ill-founded, but the hon. member for Hastings would agree with him that if the Department, after taking the best possible legal advice, were informed that the rights of the Indians could not be successfully maintained in law, the best mode of acting would be to obtain a compromise with the Seminary. If the matter were brought before a court of law, and it was held that the Indians had no rights whatever on the soil, it would be impossible to obtain any compensation from the Seminary, for the rights the Indians would be supposed to have. The Government were acting on behalf of the Indians in the way they believed to be the most consonant with their interests. All they could do was to seek to allay the irritation as soon as possible, and await a favourable opportunity for a complete settlement of the question.



MR. BOWELL: Is the Government still furnishing any money to carry on this contest?

MR. MILLS: I do not think we have ever furnished any money. Since I have been in office, we have never furnished a cent.

MR. BOWELL: Mr. Laird, in a letter to the Imperial Government, stated that a certain amount of money was furnished to contest the rights of the Indians in that locality.

MR. MILLS: That has not been proceeded with.

MR. BOWELL: It was proceeded with, and judgment was given against the Indians, in consequence of their lawyer failing to file a proceeding. Then there was a re-hearing.

MR. MACKENZIE: The re-hearing is the part that has not been proceeded with.

MR. BOWELL: Why not?

MR. MACKENZIE said the Indians were governed entirely by some self-constituted committee in Montreal, and their movements were, apparently, altogether guided by them. He had informed the Chiefs themselves that the expenses of the appeal would be paid by the Government, but it was impossible to take the matter out of their own hands, when they, themselves, placed it in the hands of this committee in Montreal.

MR. BOWELL: Was this original amount paid at all?

MR. MACKENZIE: Some small sum.

MR. MILLS: About \$100.

MR. BOWELL said a stop should be put to the political purposes to which this case was being directed, and the sooner the Government did this the better.

MR. MACKENZIE said if the matter were left with the Government entirely, it would soon be settled.

MR. BOWELL said he understood, from the explanations of the Minister of the Interior, that the Indians had no rights in the land either of a spiritual or educational character.

MR. MILLS: I did not say that.

MR. BOWELL: They had rights in the past. Why have they not now?

MR. MILLS: The hon. gentleman is referring to the question of abstract justice, which may be entirely different from the right of property. The Government could not control the action of private persons in the matter.

MR. LANGEVIN said he was at the head of the Department of State when this matter came up for the first time; and he was sorry to say that the whole trouble between the Indians and the Seminary had arisen from a conversation between some of the Indians and the late Mr. Spragge, the head of the Indian Department at that time. Mr. Spragge thought, no doubt conscientiously, that the Indians had some right to the Seignior, and he mentioned that to some of them. The claim came before the Department, and he (Mr. Langevin) was called upon to report upon it to the Governor in Council. That case had given him more trouble than any 20 cases in the Department. After going into the whole subject he reported, and his report was referred to the Minister of Justice, and was sanctioned by the Law Officer of the Crown, and afterwards assented to by the Governor in Council. He had not changed his opinion since, and he had no doubt that if the Indians had not been ill-advised, he could have made a settlement between them and the Seminary of Montreal. But when the gentlemen of the Seminary found their title attacked, and law suits threatened, they said: "Don't let our title be attacked, and we will hear any proposals made to us;" and he (Mr. Langevin) knew that they were disposed to give the Indians a liberal settlement. It was true the Indians were under the care of the Government, but the Government could not give them lands which did not belong to them. Certain parties in Montreal had thought the decision against the Indians was not a proper one, and asked that the question might be decided before a court of justice. Two or three years ago money was voted for that purpose, and the question came before the court when it went by default against the Indians. If the Minister of Justice was satisfied

that the Indians really could not succeed, would it not be better to abandon the lawsuit and say so definitely; and then try to make an arrangement with the gentlemen of the Seminary, whose feelings, no doubt, prompted them to do something in favour of the Indians who had been so long under their care. If not, he thought Parliament would feel it its duty to do something for them. He hoped the Government would see that the matter was settled during recess.

MR. MILLS: How does the hon. gentleman propose to settle if the Indians refuse?

MR. LANGEVIN said, if the Indians refused they would be unreasonable. They had friends in Montreal who might bring them to reasonable terms.

MR. MILLS: Those friends say their interests are worth \$10,000,000. The Seminary offers \$20,000; there is a wide difference.

MR. LANGEVIN: I am not trying to find fault. I found it a difficulty in my time.

MR. MILLS: And did not settle it.

MR. LANGEVIN said he could not settle it. If the Indians had not been ill-advised, no doubt they would have come to terms. Their pretension to have \$10,000,000 was all moonshine. They should have a comparative small sum of money from the gentlemen of the Seminary as a settlement of the question. If the matter went on, they would see repeated the deplorable events of last year, when arson and bloodshed took place, and the Indians, being the weakest, would suffer. If the Government took the thing in hand, it could be settled in a short time.

MR. DESJARDINS said he thought that they could not expect any peaceful and satisfactory arrangement to be effected by means of third parties. It would be best for the Government to act with these Indians directly, and to use the influence which the Federal Government always enjoyed with the Indians, to bring them to a reasonable disposition. It would be wise to try.

MR. LANGEVIN.

MR. LANGEVIN said that the hon. the Minister of the Interior had first stated that these gentlemen in Montreal had advised these Indians that they were entitled to ten millions of dollars, and, therefore, these Montreal gentlemen were in the way of a settlement. This was why he said that, if these Indians were so much under the control of the Montreal Committee, it would be better to have these gentlemen conferred with, and try to induce the Indians to consent to some reasonable arrangement.

MR. DESJARDINS said his information led him to believe that the Government would have a better chance of affecting a satisfactory arrangement by treating with the Indians directly, and not through those parties who had interposed between the Indians and the gentlemen of the Seminary.

MR. BOWELL said he thought that the hon. member for Hochelaga was mistaking the facts as to the desire or intention of the gentlemen in Montreal who had been advising or taking under their protection these Indians. He was of the opinion, and he had it on very good authority, for saying that these gentlemen were very desirous of having this difficulty settled, for more reasons than one. The responsibility having fallen in a great measure on them during the past winter and the winter before, of providing, out of their own means and charities, these Indians with food and the necessaries of life, he could scarcely conceive it possible that they would throw obstacles in the way of an equitable settlement if the Government approached them properly. On the contrary, he thought he could say that some of the gentlemen who in this regard had taken a very active part with a philanthropic view and desire to ameliorate the condition of these people, would only be too glad to meet the Government and come to some settlement. The sooner that this was done the better. The Government might feel it beneath their dignity to take a step of this kind, but where deputations composed of Senators and some of the most respectable men—certainly not of those who could be

accused of a desire to create animosities, being headed by Hon. Mr. Ferrier—interested themselves in these matters, he thought that if these negotiations were pushed on and proper overtures made, there was no doubt that it could be settled. He believed that it was the desire of these gentlemen that a settlement of this kind should be come to, in order that these Indians might not continue to be a tax on the charities of those who had taken them under their immediate care. This was a very important matter, owing to the events which had taken place and the difficulties that had arisen out of this dispute. He understood the hon. the Minister of Interior to say that the reports he had received were not official—to be made public,—but simply letters from the agent whom he had sent there, and which he did not feel at liberty to make public. But he (Mr. Bowell) was led to believe they were of an official character, containing information which would not only be of advantage to the Government, but also to the country generally, both as to what were conceived to be the rights of these people and the treatment they had received. Whether it was in the interest of the public or the Government that these should be made public, must be a question, he supposed, for the head of the Department to decide. He was very glad, indeed, to hear the remarks made by the hon. member for Charlevoix in connection with this very important matter; and he hoped that the Government would act on the suggestion thrown out by the hon. gentleman, and take energetic steps to provide for these Indians, being their guardians to all intents and purposes, as well as the guardians of all the other Indians in the country.

MR. MACKENZIE: The Government have done all they could.

MR. DESJARDINS said he was glad to learn from the hon. member for North Hastings that the gentlemen who had constituted themselves the tutors of those Indians were willing to settle the matter in a peaceful way; and he hoped that if they were seriously so inclined, this would be speedily brought about. If the hon. gentleman

was well informed, he was sure that the Government would settle this question without difficulty.

MR. MACKENZIE said that they had received no such overtures from any parties who claimed to represent these Indians, as would lead them to understand that the offers of the Government would be accepted. The Government proposed to locate these Indians on lands somewhere else, and to ask Parliament to vote a sum of money to provide houses for them, and to obtain as much as possible from the Seminary. The question of law was one with which they could not meddle. The previous Government appeared to have settled this question, as far as the officers of the Crown could do so. It subsequently went into court, although they considered that the judgment obtained was rather a catch judgment than otherwise; but it was not carried by those who acted for the Indians to the Court of Review for decision. When deputations came to Ottawa, as had been the case on several occasions, to visit him, it was simply to plead the rights of the Indians, under the territorial rights which had been claimed; but it was quite impossible for the Government to deal with this point, and to say that the Indians had or had not such rights. This was a question of fact, and the courts alone could decide it. These persons determined to appeal to the courts, but when it became known that the Government were making an effort to induce the Seminary to make an advance, and that possibly the Indians themselves would be willing to accept it, violent letters appeared in the Montreal papers, denouncing the Government for sacrificing the rights of the Indians—as they called it—and giving fabulous values to this property. The rights of the Indians, as they existed before this difficulty arose at all, appeared to have been of this kind: the land was located to different Indians. These Indian families would have eight, ten, or twenty acres in a particular quarter, and they would clear up a certain number of acres. Occasionally some of these families desired to leave

the reservation altogether, and invariably, as he was informed—and he believed that he was informed correctly—when any of them desired to do so, the improvements were valued and paid for. These valuations reached occasionally from \$8 to \$9 per acre, but generally varied from \$5 to \$6 per acre. The average would be somewhere between \$5 and \$8, which the priests, who exercised surveillance over this property, paid to the Indians, who would thereupon lease the reservation and take up their residence elsewhere. It would appear, therefore, that up to the time when this difficulty arose, there was no further idea of territorial ownership on the part of the Indians than what was implied by ownership and the improvements made on the soil. This seemed to have been the position from all the investigations he had made personally; and it was pure nonsense to say that this Government had in the past or now any power to press a settlement. They had done everything in their power to obtain a settlement, and he believed that if the Government proposal had been accepted three years ago, it would have been far better for the Indians, and it would be far better to accept this settlement now; but, as long as the Indians committed themselves into the hands of other people, who thought different from the Government, and who might have reasons with which the Government were unacquainted for this, and whose advice the Indians followed, it was evidently impossible for the Government to come to such terms with the gentlemen of the Seminary as would enable them to effect a settlement. As soon as the Indians were prepared to leave the whole matter in the hands of the Government they would undertake to endeavour to effect the best settlement possible, and he had no doubt that they could do this if they were let alone.

*Vote agreed to.*

152 Purchase of blankets for aged and infirm Indians of Ontario and Quebec .....	\$1,600
153 Indians of Nova Scotia, relief, etc. ....	4,500

**MR. MCKAY (Colchester)**: Has an agent been appointed for District No.

**MR. MACKENZIE.**

3, in place of Mr. Davey, who, I think, has resigned?

**MR. MILLS**: The subject is at present under consideration.

**MR. MCKAY** said that owing to the absence of an agent, a great deal of inconvenience was incurred. Several men who had attended sick Indians, found a great deal of trouble in getting their bills settled, and the Indians themselves went to other agencies trying to get supplies and blankets. Several delegations, and, in fact, he believed the whole tribe in his county, had waited upon him before he left home, in this connection. He had made application to the hon. the Minister of the Interior for assistance, and \$40 were granted for this purpose. This was a very small sum. A number of these Indians were lying within the limits of the town, and were dependent entirely on charity, putting the town to considerable expense.

**MR. MILLS** said that the fund in question was very limited. The Government did not hold itself responsible for the support of the Indians any more than for any other portion of the population, though they had power of surveillance over the Indians under the British North America Act. If the Indians were enfranchised their control would be at an end, and these persons would then be under the charge of the Local Government in every particular, as any other portion of the population. At Confederation certain funds were taken over from the Provincial Government, and they had endeavoured, as far as possible, to confine the Indian appropriation to what it was at the time of Confederation. In Ontario lands of the Province, as they were set out for settlement, were surrendered by the Indians, and certain reserves and compensations were given them; and the Indian fund of Ontario and Quebec, which amounted to something like three millions of dollars, was created in this way, and a lapsed balance of statutory or other appropriations. The whole fund at their disposal for Nova Scotia, was \$4,500, and they used this money in the way they thought would be most serviceable to the Indians. Aid must of course be given from legal sources, and the poor

among the Indians were dependent, like other poor, on the people living in the various Provinces. When the Government saw to the proper expenditure, their duties were at an end.

Mr. MCKAY said he thought that it would be for the benefit of the Department and the Indians of Colchester County, if the latter were placed under the agent at Picton, instead of under the agent at Halifax.

Mr. JONES (Halifax) said that, on the whole, he must say that the administration of Indian affairs, both under this and the late Government in Nova Scotia, had not exactly been successful; but they were now about making an arrangement by which each county would manage its own affairs in this regard, and he hoped that the system would be attended with most satisfactory results.

Mr. MITCHELL said that there was a considerable number of Indians in his county. The administration of these matters under the late and present Governments had been equally bad and very unsuccessful. He could see no change. The Indians of New Brunswick were not becoming enlightened. They were not getting the benefit of education. They were dwindling away, and becoming demoralized. The whole system, as far as the elevation of the character of the Indians was concerned, seemed to be a complete failure. Sickness appeared to be more prevalent among them than formerly. In a few years, unless something was done, he was afraid that they would disappear. Something might be done for these people, even with the small means which they had at their disposal. The Dominion had bought up the great North-West, and the money of the people in the Eastern Provinces had contributed to this purchase. As an enormous sum was being paid out for the Indians of the North-West, he thought that more liberality should be extended towards the Indians of the Eastern Provinces, with the view of preserving them, and, if possible, elevating their condition, which was most lamentable. The hon. the Minister of the Interior, being a philosopher, might endeavour to see what

philosophy would do, as regarded practical utility, towards the elevation of the poor creatures.

Vote agreed to.

154. Relief of the Indians in New Brunswick .....	\$4,500
155. Relief of the Indians in P.E.I.....	2,000

Mr. LANGEVIN wished to know how many Indians had taken advantage of the law passed for their enfranchisement.

Mr. MILLS: About forty.

Vote agreed to.

*Indians of British Columbia.*

156. {	Victoria Superintendency .....	\$18,240 00	}
	Fraser do .....	18,321 00	
	—————		

Mr. LANGEVIN wished to know how the sum voted last year had been expended.

Mr. MILLS said it was appropriated for the purposes of the Commission, a record of whose work would be found in the report by Mr. Sproat. Therein it was stated that the Commission had carried on their operations in British Columbia up to December, 1876, and since April 4th, last year, they had been engaged in the settlement of disputes between the Indians and white men, the former of whom alleged that the latter had encroached on lands which they held from time immemorial. The Local Government proposed that the Commission should continue until all the reservations in the vicinity of the White settlements were agreed upon, and that in future all matters affecting the Indians should be settled by an agent of the British Columbian Government. When the season closed, it was found that the Indians were indisposed to give up their reservations, and Mr. Sproat had been retained to act as Commissioner during the coming summer.

Mr. LANGEVIN said no better man than Mr. Sproat could be found to act in this capacity. If the Government could induce the Indians to leave these settlements at Victoria, it would be a great boon both to themselves and the white men there.

Vote agreed to.

*Indians of Manitoba.*

157. Annuities under Treaties Nos. 1 and 2 to Indians of Manitoba .....	\$27,000 00
158. Annuities under Treaty No 3 to ditto .....	15,640 00
159. Annuities under Treaty No. 5 .....	15,860 00
160. Agricultural implements, &c., furnished under Treaties No. 1 and 2 .....	12,950 00

MR. BOWELL asked, if this ammunition could not be supplied to the Indians in the same manner as ammunition was supplied to the volunteers. If it was bought in large quantities there must be a saving.

MR. MILLS: No; I think not.

Vote agreed to.

161. Agricultural implements, &c., furnished under Treaty No. 3 .....	\$ 6,410 00
162. do do No. 5 .....	4,890 00
163. Provisions for Indians assembled to receive annuities under the above-mentioned Treaties .....	16,500 00
164. Triennial supply of clothing under above Treaties .....	2,200 00

*Sioux on Little Saskatchewan.*

165. Purchase of agricultural implements, seed-grain, tools, &c., and salary of an Agent residing on their Reserve .....	2,600 00
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Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Twenty minutes past  
One o'clock.

## HOUSE OF COMMONS.

Tuesday, 23rd April, 1878.

The Speaker took the Chair at Three o'clock.

## PRAYERS.

## ELECTION ACT AMENDMENT BILL.

[BILL No. 20.]

(Mr. Laflamme.)

## CONSIDERED IN COMMITTEE.

House again resolved itself into Committee of the Whole on the said Bill.

MR. LANGEVIN.

(In the Committee.)

MR. MACDOUGALL (East Elgin) said he wished to move that section 11 of the Dominion Election Act of 1874 be repealed and be re-enacted, as amended by the insertion of the word "constituted" in the 12th and 20th lines. This was to apply to incorporated municipalities, which, in part, lay in two electoral districts. In the Ontario Act it was provided that, in cases of this kind, such municipality should belong to the electoral district having the smaller population. He proposed to alter the law so that the returning officer could constitute the part lying in each electoral district into a separate polling subdivision, which could not at present be done. Otherwise no provision would be made for taking the vote. The Ontario Legislature had provided that each municipality should have the power of establishing polling divisions. The village council passed a by-law or resolution, establishing the village as a polling subdivision, consequently the township from which this village had been erected, established their polling sub-divisions under the authority of a by-law, and these sub-divisions would not include the village for the very reason that the village, by the authority which it possessed under the Municipal Law, had the power of establishing itself as a polling sub-division. It was to overcome this difficulty that he proposed this amendment.

MR. WHITE (East Hastings) said he believed that at the general election in 1874, the hon. member for North Huron had stated that parties who lived in a village between two counties had voted first in the one and then in the next riding. He had then understood the hon. the First Minister to say that this would not occur again.

MR. MACKENZIE: I do not recollect it, but I am sure that it cannot be done legally.

MR. WHITE: It was done at that time.

SIR JOHN A. MACDONALD: I believe the fact that this was done.

Amendment agreed to.

MR. MACDONNELL said he desired to ask the hon. the Minister of Justice whether any decision had been arrived at with regard to the recount of votes, according to section 13 of this Bill. It had occurred to him, since this measure was previously under consideration, that it was impossible where there was only one County Judge for three or four counties, for this Judge to attend to the recount within the short period of three or four days in various counties. This might occupy more than one day, in fact several days. Where there were three counties grouped together, as was the case in Nova Scotia, it would be quite impossible for one Judge to make recounts in each of these—and the law would, consequently, be quite nugatory. The same remark, he believed, would apply to Charlevoix and neighbouring counties.

MR. LAFLAMME said it was very unlikely that there would be a recount after every election. A recount was a matter of very rare occurrence, and in Ontario, where this system had been in force for some time, no difficulty had been experienced. It was only in cases where an uncertainty existed as to the number who voted, or where it was thought fraud had been resorted to, or where the majority had been exceedingly small, that a recount was deemed necessary. Consequently, it was not probable that there would be any lack of Judges to carry out this measure.

MR. MACDONNELL said the Government should legislate for possibilities however remote, and the answer made by the hon. Minister that it was unlikely there could be a recount in three counties presided over by one Judge, was not satisfactory.

MR. BOWELL asked why the time allowed for having a recount should be limited to four days.

MR. LANGEVIN said the object was to avoid delay, because it was desirable that a candidate when elected should take his seat as soon as possible. He had called the attention of the Minister of Justice to the Bill the other day, and though he did not intend to repeat the arguments he made use of with refer-

ence to the working of the Bill, he would ask the Minister of Justice whether he had made up his mind to amend the Bill in the direction he had indicated?

MR. LAFLAMME said that, while he was anxious to meet the views of the hon. gentleman, what had been foreshadowed by the hon. member for Charlevoix was not, by any means, likely to happen, and there was no reason why the Government should legislate for such a remote possibility. There was a resident Judge in the county of Charlevoix, and he could be applied to, when necessary, with the view of having a recount.

MR. LANGEVIN said what he sought was not merely in the interests of his own county, but of the whole district. No doubt there was a resident Judge in Charlevoix, but his district comprised the counties of Chicoutimi and Saguenay besides; and if, after an election, a recount was desired, say, in Chicoutimi, ninety miles either way would have to be travelled before a recount could take place.

MR. MCCARTHY said he would ask the Minister of Justice whether he proposed to make an amendment allowing application for a recount in the Province of Ontario to be made before one of the Superior Court Judges at Toronto, as well as before a County Court Judge. He understood the hon. Minister to say that he would amend the Bill so as to allow of an application being made to a Superior Court Judge in the absence of a County Court Judge.

MR. LAFLAMME said he had no objection to make a provision by which, in the absence of a County Court Judge, an application might be made to the next County Court Judge.

MR. BLAKE said it was desirable that a recount should take place at the earliest possible moment, in order that the return should not be delayed. The Judge had to make an order for a recount within four days after notice was given, and the recount itself must take place within four days more. Now the difficulty which might arise if the amendment proposed was adopted was this, that a Superior Court Judge might

not fix on a day which would suit the County Court Judge.

Mr. McCARTHY said there might be a difficulty of this kind, but there would be a greater difficulty when a County Court Judge was absent, if no such provision as he proposed was adopted.

Mr. BLAKE said a deal of time might be wanted in making an application to a Superior Court Judge. It might be a convenience to one or two counties, but it would be a decided inconvenience to some of the remote counties. He thought the better plan would be to permit an application to be made to the nearest County Court Judge.

Mr. BOWELL: You should say in the absence or illness of a County Court Judge, because he might be unable from illness to perform his duties.

Mr. McCARTHY said he could not see that there should be any objection to make the clause of the Bill read so that application might be made to a County Court Judge in an adjoining county, or to a Judge of the Superior Court at Toronto.

Mr. MACKENZIE: Will the hon. gentleman move an amendment?

Mr. McCARTHY: I will not move an amendment unless the Minister of Justice is willing to receive it.

Mr. LAFLAMME said that in the absence of a County Court Judge, his assistant usually took his place.

Mr. McCARTHY said he proposed to repeal section 19 of the present Act, which provided for the deposit of \$50 by each candidate nominated, and to substitute for it a clause identical with the provisions in the Quebec Election Act, to the effect that each candidate shall deposit the sum of \$200, but that the money shall be returned to the successful candidate, and to the unsuccessful candidate if he polls one-half of the number of the votes polled by his opponent. In the Province of Quebec, each candidate deposited \$200, and, after an election, those candidates who had obtained half as many votes as the person who was successful, received back their money. In this way candidates were deterred from being pro-

Mr. BLAKE

posed, for the mere purpose of forcing a contest when there was no hope of their being returned. He did not see why a candidate should be forced to pay \$50 towards election expenses.

Mr. LAFLAMME said he thought a candidate would rather pay \$50 than allow a deposit of \$200 to remain in the hands of a returning officer for an indefinite period. He believed the law as it stood was very simple and would give universal satisfaction. The innovation proposed would not be an improvement.

Mr. JONES (Leeds) thought the law of Quebec was a better one than that of Ontario, because bogus candidates were prevented from coming forward.

Mr. LITTLE said that a candidate might have some inducements to offer, and the electors might even get up a requisition to him; yet, at the eleventh hour, he might not be able to poll the number of votes that would entitle him to a return of his money. He was not to be blamed for this; he had been misled by those who induced him to come forward. Also there might be men of education and high intelligence, well fitted and desirous of becoming members of Parliament who would not be able to command \$200, and for this reason he held that the House should not adopt the amendment as it would be trammelling the free choice of the people in their elections.

Mr. WHITE (East Hastings) said he thought the amendment proposed was an excellent one, and that it was quite as much in the interests of the poor man as any other class of candidates. There were many members in this House who could afford to deposit \$200 for a few months, and there were plenty who could not afford to lose \$50 altogether.

Mr. DESJARDINS said that he considered the best system would be one which called upon the candidate to make a deposit which should be returned after the election.

Mr. POPE (Compton) said he thought this amendment would be of immense importance in preventing what were termed "bogus" candidates



from coming forward. He did not think \$200 too much, because if a man really wanted to get into Parliament, if he was a poor man, he could easily raise it, knowing that he was almost sure to get it back again.

Mr. BLAKE said that if any system was to be adopted he thought this was more likely than any, without interfering with the right of the people or the freedom of election, to accomplish the object in view. It was certainly an improvement over that which prevailed in the Province of Quebec. In the first place, \$200 was a considerable sum; in the second place, against a man with money, who knew that he would get his deposit returned, the amendment would be imperative, whereas the loss of \$50 might be some check upon him. The smallness of the amount and the simplicity of the arrangement imposed by the Bill were such as must commend the Bill over the amendment proposed by the hon. member for Cardwell (Mr. McCarthy.)

Mr. MITCHELL said he differed from the hon. member for South Bruce (Mr. Blake). During his (Mr. Mitchell's) own election, he was subject to the greatest annoyance by a candidate being started by a clique who said: "We will sacrifice \$50, and oppose Mr. Mitchell." The candidate was started and actually canvassed the county until within a day of the poll, not with any idea of seriously contesting the constituency, but simply to cause annoyance. If they could adopt a system which would not interfere with the freedom of the people or the choice of the electors, but would check such conduct as he had alluded to, they ought to do it. He believed the amendment was a step in the right direction and that it was calculated to put a stop to the annoyance that might now be visited upon the candidate whom the majority of the people wished to elect.

Mr. CARON said the strongest reason in favour of the amendment was that it would prevent a bogus candidate being nominated merely to have a contested election and to cause annoyance to the legitimate candidate. It would also save the excitement and disturbance of a useless contest.

Mr. MACDONNELL said he denied that it followed, as a matter of course, that, because a man did not get one-half the votes of his opponent, he was not a *bonâ fide* candidate. The principle of having to pay any money for the purpose of being nominated was a wrong one. Instead of extending the principle, it should be abolished. The hon. member for Quebec county said those elections disturbed public opinion. Well, public opinion required to be disturbed occasionally. There were men who had remained in Parliament a long time who would not have been returned were it not for the want of some opponent who would agitate public opinion, and bring to light facts which would change the public opinion.

Mr. PLUMB said the amendment secured, in a much greater degree, the principle recognized in the Bill, by providing for a deposit. It prevented the nomination of candidates who had no chance of election, and who were brought forward merely to cause the expense and annoyance of a contested election. \$200 was not a large amount to be deposited as earnest of the good faith and position of the candidate, and the money being returned to him if he obtained a respectable vote, and prevented any injustice being done in the way of preventing a contest. It was not desirable, in party interests, that candidates should be opposed who would otherwise be elected unanimously. He was not sure but that the proposition of his hon. friend might be amended by reducing the number of votes necessary to a defeated candidate to obtain back his money. He had no objection to have the whole system of deposits abolished, but if the system were continued, it ought to be made, as it had been intended to make it, a check on candidates.

Mr. SINCLAIR said he thought the amendment was not an improvement on the Bill. When the Act was passed the greatest check was considered to be the twenty-five electors who were required to sign the requisition. This amendment would act injuriously in those districts which returned two members. A man of good standing might be rejected and have less than one half the number of his opponents

votes. This amendment would also have the effect of creating sympathy for an unpopular man to save him the fine, and thus he would get more votes than he would otherwise obtain.

MR. BABY said this amount of \$50 was intended to be a check on bogus candidates and tax towards the election fund. It was not a check against bogus candidates because the sum was too small, and as a contribution to the election fund it did not go so far as the amendment, which by preventing to a greater extent the nomination of bogus candidates, lessened the election expenses which the forfeit of \$200 would also diminish.

MR. WHITE (East Hastings), said both parties were now nominating their candidates, and this amendment, if adopted, would have the effect of preventing the introduction of a third party to spoil a fair election contest. He would agree to abolish the system altogether, but if not, the amendment should be adopted. He hoped that this amendment would be accepted.

MR. MCCARTHY said that the principle of this amendment was not now under discussion. The principle had been affirmed and was now the law of the land, being intended to prevent what were called bogus candidates from presenting themselves. This was the sole and only object of the 19th clause, requiring a deposit of \$50, as he understood it. It was not a tax on candidates, as a contribution towards the election expenses. He believed, however, that in England the candidates had to pay a certain proportion of these expenses. But would any hon. gentleman pretend that any bogus candidates was ever prevented from being nominated, owing to this \$50 deposit? It was totally valueless and inadequate to prevent this abuse, for this sum could be made up by a contribution of about \$2 from each nominator. To make the provision practically effective, the sum ought to be increased as he proposed. This was not, of course, a party question at all.

MR. PALMER said he thought that this amendment did introduce a new

MR. SINCLAIR.

principle. Under the present law the \$50 was not returned. Of course, if the sole object was to prevent the nomination of bogus candidates, why should this sum not be returned? He had heard no reason why candidates should be taxed \$50 when they were not bogus candidates. If candidates were to pay, they ought to pay the whole expenses of the election, but surely this was not intended. If the principle, however, was maintained with regard to the \$50, by and by it could be increased, and the result would be that candidates would have to pay all these expenses. He saw no reason why the sum should not be increased to \$200. He thought that, at all events, the return of the deposit should be sanctioned by the two Houses.

MR. BUNSTER said he considered that the amendment did not go far enough. The sum should be increased. The hon. member for Cariboo (Mr. Thompson) had been greatly inconvenienced by the putting up of a bogus candidate, who, he believed, only received 20 odd votes, part of which, besides, proved also to be bogus. There was no telling how many other hon. gentlemen would be similarly annoyed, and, consequently, he considered that the sum should be increased. He was almost inclined to ask that it be made \$1,000. He would move that all the words after that in the amendment be struck out, and the following substituted: "Unless the sum of \$500 be paid to the returning officer, which sum shall be handed over to the successful candidate on the receipt of his certificate of election."

Amendment to the amendment *negatived*.

Amendment *negatived*.

MR. MCCARTHY said that he wished to draw the attention of the hon. the Minister of Justice to the sub-section of clause 94, in the original Act. He had found, in regard to election cases, that this was a most dangerous clause. It ought to be amended. It provided that the giving or the causing to be given to any voter on nomination and polling day, on account of the said voters having voted or being about to vote, any drink, or

refreshment, or money to enable him to procure refreshment, should be made an unlawful act, and should cause the forfeit of \$10 for each offence, and the costs of suit. This particular clause was taken from the English Statute, in which the penalty was 40 shillings, and by the sub-section a breach of this section was made a corrupt practice. This was not the law in England, and he did not believe that it should be the law here. The 9th section made treating, if done corruptly, a corrupt practice, and very properly so; but the concluding part of the section declared that the giving of refreshment without any corrupt intent—for this was the effect of it—by a candidate or by his agents, on polling day or nomination day, should be a corrupt practice and vitiate the election. What was the practical result? The agent of a candidate might invite his brother, an elector, to dinner on polling day—this was not treating but the giving of refreshment within the meaning of this clause—and this would vitiate and destroy the election. He did not propose to move an amendment, but to call the attention of the hon. the Minister of Justice to this matter, with the view of having this provision changed. A heavier penalty might be imposed, but certainly such an act should not destroy the election. He conceived that no election could be conducted under the law as it now stood that could not be vitiated on petition. In a recent case in which he was concerned, a Judge of the Supreme Court had found it very difficult indeed, to put a proper construction on this clause. It stated that the giving or the causing to be given to any voter on nomination day, on account of such voter having voted—but this could not be the case. It was practically almost impossible to put a construction on it with regard to nomination day, though it was very clear respecting polling day. It was laid down by Justice Wills, in England, that the act in question was not a corrupt practice. Now, if an agent treated a friend to dinner the election might be set aside on the ground that corrupt practices had been resorted to. He thought the Minister of Justice should really give

his attention to the matter, and make some amendment to the Bill.

MR. LAFLAMME said there were many anomalies in the interpretation of some of the clauses. He agreed with his hon. friend that the point in question was one which required some elucidation, but he thought, at the same time, that the Judges were best qualified to interpret the meaning of the law. An election ought not certainly, to be vitiated because a person was treated without any intention to cause corruption in voting, but the House and the people would shortly be better able to investigate thoroughly the principle of our Election Law. After it had gone through the crucible of several contested elections and being submitted to the Judges of the different Provinces and to the Supreme Court, some amendments might be introduced to meet the objections which had been raised.

MR. MCCARTHY said a construction had already been put upon the law in two English cases, so that there was no doubt whatever as to its meaning. An election should not be set aside as vitiated on the ground that an agent had acted wrongfully, when such was not the case.

MR. BLAKE: It says on account of his having voted or been allowed to vote. It would be impossible to prevent corruption unless a severe penalty was attachable to the offence. What was wanted was to prevent a system of so-called hospitality calculated to interfere with the freedom of an election, degrading to the candidate who sought votes in this way, and degrading to the electors who participated in that hospitality.

MR. PALMER said that, if he was not mistaken, the hon. member for South Bruce and the Minister of Justice, took entirely different views of the matter. The Minister of Justice seemed to say that an election would not be vitiated by an agent treating a friend, while his hon. friend from South Bruce wished to retain the penalty, because such an act would vitiate an election. He (Mr. Palmer) certainly disagreed with the Minister of Justice, when he said that the matter should be left to

the Judges to decide. By adopting this course, any amount of legal expenses would be incurred, together with no end of trouble. No time should be lost in making the law plain. If he was not mistaken, the matter was decided the other day in the Supreme Court, when the opinion was expressed that, unless it was shown that there had been an improper intention, an election should not be vitiated. He had looked at the Statute since then, and he considered it extremely doubtful whether that view could be carried out or not.

MR. BLAKE said that an election was not vitiated unless hospitality was given, on account of an elector having voted or being about to vote.

MR. PALMER said, in that case, the first part of the section quoted by his hon. friend from Cardwell was entirely unnecessary; if it was allowed to remain, Judges would give different decisions. The law should be made perfectly explicit; and he hoped the Minister of Justice would give the the matter his consideration.

Bill, as amended, *ordered to be reported.*

House resumed.

Bill reported.

Amendments read the first and second times and agreed to.

#### NATIVE TOBACCO DUTIES.

##### RESOLUTION PROPOSED.

Order for Mr. Speaker to leave the Chair for the House to go again into Committee of Supply, *read.*

MR. BOLDUC said that he desired to call the attention of the hon. members of this House to the fact that the cultivation of tobacco would flourish in this country, if it were encouraged. At present, the cultivation of tobacco in Canada, owing to the heavy excise duty, was practically prohibited. The duty amounted to 20c. a pound. Indeed, if the law was made prohibitory, it would not be more severe than the law which existed. No Canadian manufacturer could now buy Canadian tobacco unless he paid a duty of 20c. a pound on it; and, owing to this state of things, the cultivation of tobacco was

MR. PALMER.

not encouraged, and the farmer was not able properly to acquire the experience which would enable him to raise tobacco of the first quality. This question was so much more important, in view of the fact that we imported a great quantity of tobacco yearly. Glancing over the Trade and Navigation Returns, he perceived that in 1874 we imported 6,869,000 lbs., for which were paid \$786,216; in 1875 we imported 10,396,741 lbs., for which \$968,613 were paid; in 1876 we imported 10,301,733 lbs., for which \$1,154,049 were paid; and in 1877 we imported 8,665,879 lbs., for which were paid \$901,686; in all there were about four millions of dollars which we had been obliged to pay for the purchase of this leaf alone abroad. This amount would be kept in this country if, instead of prohibiting the cultivation of this article, the Government encouraged it. The success already met with in the cultivation of the tobacco plant in this country proved that it could be raised to great advantage, if such encouragement was given. He did not ask for the abolition of the Excise duty for a long time, but merely for such period as would be advantageous to the farmers, and as would enable the farmers to become accustomed to the cultivation of this article. He did not ask the Government to abandon for ever this source of revenue, for among all dutiable objects he recognized the fact that tobacco, from its very nature, was one on which a duty could very properly be levied. But, having regard to the interest of the agricultural portion of the population, he thought that at the present juncture, the Government should encourage the cultivation of tobacco. The hon. the Minister of Finance, in his Budget speech, delivered during the present Session, had said:—

“Those who have studied the position of this country are well aware that, however important other interests may be, now and for a long time to come the agricultural interest will necessarily continue to be the predominant interest in Canada; and, therefore, anything which strikes at the prosperity of the agricultural population strikes necessarily at all those classes, those very numerous classes, which are dependent upon them.”

He now requested the Government to consider the interest of the agricultural class, and he would urge upon the Government the necessity of adopting a true National Policy. The result of the abolition of this excise duty would be that next year Canadian farmers would largely cultivate this article, and bring the product to market for sale; and the farmer who would have a bad tobacco would perceive that it was necessary to change his system of cultivation, and contact with experienced farmers would be to him an inestimable advantage. If this was done, in a few years, instead of importing tobacco, we would export a very considerable quantity of it; and then the Government could levy an export duty on this article, and the revenue derived from this source would be greater than it was to-day. He observed, with pleasure, that during the present Session, on each occasion that the interests of the agricultural class came under consideration, the members of the House spoke strongly in favour of this section of the population. He particularly asked the support of all those members who were favourable to the protection of this interest, to the motion he submitted, in order to induce the Government to grant this request. He moved:—

“That Mr. Speaker do not now leave the Chair, but that it be resolved, ‘That, whereas, one million dollars worth of tobacco is imported every year, and, whereas, that plant might be cultivated to advantage in this country, this House is of the opinion that the cultivation thereof should be encouraged by the abolition of duties on tobacco grown in Canada.’”

Mr. LAURIER said, if he properly understood the motion made by the hon. gentleman, its object was to encourage the manufacture of tobacco in this country, to prohibit the importation of foreign tobacco, and to facilitate the cultivation of tobacco in this country.

Mr. BOLDUC: No; I do not wish to prohibit the importation of foreign tobacco.

Mr. LAURIER said he did not know to what point the two propositions were compatible. He could not see how the cultivation of Canadian tobacco, and the importation of foreign

tobacco, could be equally encouraged. The object of the motion was to collect a revenue from the importation of tobacco, and to relieve home-grown tobacco from duty. His hon. friend had said, in the course of his argument, that they could consider the interests of the agricultural class from the farmer's point of view; but the first question that presented itself was this: Was this country adapted to the cultivation of tobacco? He observed that his hon. friend said that if this Excise duty was abolished for a certain number of years, the production of Canadian tobacco would assume such proportions as to permit tobacco to be exported instead of being imported, as was now the case. But was this possible? Was it possible to maintain seriously, that Canada could ever produce enough of this article to enable it to be exported? It was well known that, above all in the Province of Quebec, and in the Maritime Provinces, and also in Ontario, we could not produce tobacco which could enter into successful competition with the foreign-grown article. We produced an inferior quality of tobacco, which was used for local purposes. The agricultural class was frugal and economical, and it produced tobacco for its own consumption; but, on the other hand, it was equally certain that it was perfectly impossible to raise, in Canada, tobacco which could enter into successful competition with the foreign article, for the simple reason that we had not the climatic conditions necessary to its growth. The Province of Quebec, above all, and all the Provinces east of Quebec, could not raise tobacco on a considerable scale, for the simple reason that their climatic conditions were not proper to the growth of this plant, which was excessively sensible to such conditions. Again, our seasons were too short to permit its successful cultivation; Spring was too late, and Autumn came too soon; and, under the best possible climatic conditions, the tobacco which we cultivated could never attain maturity. The farmers were obliged to take it in before it arrived at perfect maturity, and then, very frequently in Lower Canada, they were visited with frosts during the warmest months of summer, even in

July and August, and it was known that tobacco was extremely sensible to changes of temperature, and of the weather; and, under these circumstances, as an article of commerce, it lost much of its value, suffering in flavour and quality, and failing to command the price which it would otherwise secure. Owing to these considerations, the argument of his hon. friend lost much of its force. The object of the motion was to encourage the cultivation of tobacco in Canada, though of all the plants that Lower Canada could cultivate, the last thing which they should cultivate was tobacco, which could not become for them an article of export. They could cultivate grains such as oats and barley, and other cereals, but even wheat was not always successfully raised in the Province of Quebec. Its success was uncertain, and so much was this the case, that their farmers as a rule dare not raise wheat any more. It was not adapted to their soil. Each soil was specially adapted to the growth of certain things; climates varied. In the Province of Quebec wheat was not now generally raised, though there was a time when it was grown there to a considerable extent; but for reasons into which it was not necessary to enter, the fact was, that the Province of Quebec could not now raise enough wheat for its own consumption, and it was obliged to import grain from the Province of Ontario and the United States. The same thing was true with regard to the cultivation of tobacco. The growth of tobacco could never be successful with them, for the simple reason that the climatic conditions of this Province were not favourable to it. Tobacco came up very well, and the soil was good enough, but the plant did not reach maturity. Our seasons were too short for the growth of this article. Tobacco could not always come to maturity; some years this might be the case, no doubt, and it was also true that during certain years, wheat did very well in the Province of Quebec. Last year, for instance, wheat with them was an excellent crop, but at the same time they could not depend upon wheat as a steady crop, and in the same way tobacco could not be de-

pendent on each year to come to maturity; and even when it came to maturity, the fact was incontestible, that it did not reach the highest state of perfection, as was also the case in parts of the American Union. But suppose that they did encourage the cultivation of tobacco in Canada, and suppose they did abolish this Excise duty, the result would be that each farmer would, perhaps, raise so much tobacco as he would use, and suppose that this tobacco would have the same value as the American tobacco, it was impossible to pretend that an inferior article would always command, in the same market, the price that was asked for the imported article. And even if the principle in question was carried into effect, the consequence would be that after a certain number of years, the cultivation of this article in this country would fall off; it would not be profitable to the farmers, and they, themselves, would abandon it. And more than this, as the hon. member for Beauce had stated, if there was an article which ought to be taxed, it was tobacco. No one could to-day, in a civilized country, pretend that tobacco ought to be exempt from taxation, and it was, above all, an article on which, by every Government, revenue ought to be raised. At the present time there was no civilized country which would venture to remove this Excise duty and make tobacco free from duty. Spirits and tobacco were always articles on which all civilized Governments raised a part of their ordinary revenue. The hon. gentleman recognized this fact, and he did not say that tobacco ought to be exempt from duty; but if he rightly understood him, the hon. gentleman held that the duty should be simply limited to the imported article. But suppose that this motion were adopted, and that the moment it was adopted, the Government should remove the Excise duty from Canadian tobacco and impose it merely on imported tobacco, what would be the consequence? Either the revenue from this source would be reduced considerably, owing to the increased use of Canadian tobacco, or this tobacco would enter into exclusive use, and thus prevent the importation

of foreign tobacco, equally reducing the revenue. Such would be the consequence of this motion. If it was admitted that a duty should be imposed on tobacco—and his hon. friend admitted that this was the case—it should be levied equally on all tobacco, no matter where it was manufactured, whether in this country or abroad; and if a distinction were made, and the duty imposed on the imported article only, what would be the consequence? The Canadian farmer would sell his tobacco in the leaf to the merchant who would retail it, without paying any Excise duty, and then certainly all, or at least a great portion of the consumers, would buy the Canadian and not the manufactured tobacco, which would occasion an enormous deficit in the revenue of the country. The position of affairs was this:—We now obtained about a million of revenue from this source, and if home-grown tobacco was not subject to duty, while imported tobacco was dutiable, the latter would certainly not enter into consumption. Again the manufacturers themselves would take advantage of this state of affairs, and would mix the Canadian with the foreign tobacco, and thus the duty would not be paid save upon a very small portion of the imported article which entered into consumption. He submitted, in reply to the hon. member for Beauce, first, that even if the motion were adopted, this country could never become a country, which was adapted to the cultivation of tobacco, which could advantageously compete with the imported article. The Northern States of the American Union were, in fact, not so well adapted for the growth of this article as the southern; we were still further north, and, as a consequence, we had nothing to gain from the growth of this article. The object of our people should not be to encourage the cultivation of an inferior article, but to encourage the growth of such products as were adapted to our soil and climate. In the second place, it was impossible to levy a duty on foreign tobacco, unless the same duty was imposed on Canadian tobacco. If they removed the duty from the home-grown article, the effect of this step would be entirely to destroy the revenue from this source. He sub-

mitted that tobacco was one of those articles on which a duty should be levied, and that, in consequence of this fact, it would be a most erroneous and ruinous policy, with regard to the revenue, to remove this duty. His hon. friend did not go to the length of advocating the removal of the duty from foreign and home-grown tobacco, and he (Mr. Laurier) held that, if the duty on Canadian tobacco was removed, the effect of this step would be to destroy entirely the revenue obtained from this source; and, besides, at the present time the country was not in a condition to be able to bear the loss of revenue which the removal of the duty on this tobacco would necessitate.

MR. LANGEVIN said that the hon. the Minister of Inland Revenue objected to the motion, on the ground that we could not profitably cultivate tobacco in this country. The hon. gentleman added that our climate was not suitable for such cultivation; that early frosts prevented it from coming to maturity; that the season was too short, and that we could not cultivate it. In reply to the hon. gentleman, he would say that, if this was the case, there was no cause to fear for the revenue; and, as a consequence, no danger could be apprehended from the adoption of this motion. The hon. gentleman gave the reason he had mentioned, evidently with the view of killing the motion of the hon. member for Beauce; but the hon. gentleman went further, and said that we did not cultivate tobacco, and that we could not succeed in cultivating it. He did not know whether the hon. gentleman had witnessed the cultivation of tobacco, where he lived, in the Province of Quebec; but it was, at all events, cultivated elsewhere in the Province. In certain counties in Quebec, considerable quantities of tobacco were raised, and oats, and barley, and wheat as well. The climate of Canada was, therefore, favourable to the cultivation of this article. It was, in fact, advantageously cultivated in the counties of Joliette, Berthier and Montcalm, and in great quantity. He would go further; the same statement applied to the county of Dorchester and to the county of Charlevoix, on the

north shore below Quebec, which many considered, wrongly, to be at the other end of the world, and near the North Pole, and almost inhospitable. Tobacco was raised in Charlevoix county, but not profitably; and why? Because the farmers could not pay the duty, though they raised, however, enough tobacco for local consumption. The hon. the Minister of Inland Revenue should have known that tobacco was raised in Charlevoix county, as he had had seized the other day 4,000lbs. of tobacco in the parishes of the Baie de St. Paul and Les Eboulements. This was not foreign or imported tobacco, but it was raised in these parishes. If the hon. gentleman had gone down the St. Lawrence, he might remember the parish of Eboulements, which was on the top and side of the mountains, a place covered with snow during six months of the year; and, nevertheless, tobacco was cultivated to advantage in this place, as well as cereals. If this could be done on the north shore, below Quebec, it could be accomplished with greater reason and advantage on the south shore. In the county of Dorchester, which he formerly represented, tobacco was raised for domestic consumption, and not for other objects, as they did not wish to pay the duty. At Quebec, in the parish of Ste. Foye, tobacco was raised in great quantities. He remembered a gentleman who, in this locality, grew sufficient tobacco to sell and export it. The duty was raised very considerably, and this gentleman was then obliged to abandon, in great measure, the cultivation of this article. The same statement applied, with equal truth, to other portions of the Province, and these facts showed that the statement of the hon. the Minister of Inland Revenue, to the effect that the climate of the Province of Quebec was not favourable to the cultivation of tobacco, was incorrect. The hon. gentleman had been badly informed. If this duty were removed, they would soon see whether tobacco could be raised in Canada. On the other hand, the hon. gentleman said that if the duty on home-grown tobacco was removed, the importation of tobacco would be in a great degree lessened, because tobacco would then be raised

in Canada in sufficient quantity to supply the wants of the different families in the country. The gentleman here admitted that the climate of Canada was favourable to the growth of tobacco, and, as a consequence, he (Mr. Laurier) feared that the revenue would suffer if this duty were removed as was requested. The hon. member for Beauce did not demand the perpetual repeal of this duty, but merely for a few years, until our farmers became accustomed to the cultivation of this article. He was extremely sorry to hear the hon. the Minister of Inland Revenue depreciate the climate of Lower Canada. The hon. gentleman said that this climate was not favourable to the growth of wheat, and that they were obliged to import a large quantity of wheat into the Province of Quebec. There was no doubt that wheat was brought into this Province, but the hon. gentleman should remember that there was a time when they not only raised enough wheat for the consumption of the population of Lower Canada, but even sufficient to export a very great quantity of it every year. Of late years, this growth of wheat in the Province had not been so extensive; but this was due to the presence of the weevil, which had committed great ravages there as well as in other countries. In consequence of this scourge, the farmers of Lower Canada had partially abandoned the raising of wheat, and devoted their attention to other grains, such as barley and oats, and to roots, in order that they might at no time lack a crop. He would ask hon. members from the Province of Quebec, on both sides of the House, whether it was not a fact that the growth of wheat was now very considerable in the Province of Quebec. He knew that in his part of the country, the raising of wheat had increased very much; and he had only yesterday received a letter from a farmer, in the county of Rimouski, who stated that owing to the fact that the present season was so propitious, the farmers had sown double the usual breadth of wheat and other grains this year, and this was done precisely because they knew that wheat came to full maturity in this Province. Hap-

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pily the weevil had disappeared, and they hoped to be able to raise wheat in as considerable a quantity as had formerly been the case. If, however, the weevil returned, its culture could be suspended for some years, and the farmers could turn their attention to other matters. Tobacco, for instance, could be cultivated. The hon. gentleman (Mr. Laurier) knew very well that foreign tobacco in the leaf was subject only to an excise duty as well as home-grown tobacco; and what advantage then was afforded the Canadian farmer? The hon. gentleman held that the foreign article was worth more than Canadian tobacco, and what advantage then did the Canadian farmer possess in this respect? If this article could be advantageously cultivated in Canada, and if by this means our farmers could make a considerable profit, why should the Government not favour the motion of the hon. member for Beauce? They were here not merely to pass laws in regard to abstract principles, but it was also their bounded duty to apply the best principles possible to the circumstances of this country. The question before them was one regarding the application of a principle in the interests of this country. The agricultural class was in need of encouragement. It was known that, without this class, the people of the towns could not subsist. If the farmers did not toil every day in the cultivation of their land, where would we be? This class required encouragement in some way, and this motion was intended to effect this object. He knew that the other day, when the agents of the Government in the parishes of St. Paul and Les Eboulements went to seize from certain farmers a few pounds of tobacco, which were absolutely necessary for their needs, these farmers were justly indignant at such conduct. They could not believe that the Government would do such a thing; and they asked whether this had ever been known, to be done in years past. This had never been known to occur before; and this instance only served to show that this law ought to be amended. He would certainly vote for the motion of the hon. member for Beauce.

MR. CASGRAIN: Was not this tax, of which the hon. gentleman complains,

imposed in 1867 or 1868 by the late Government?

MR. LANGEVIN said that the hon. gentleman ought to remember this, that if a duty was then imposed on tobacco, it was increased by the Government which the hon. gentleman (Mr. Casgrain) supported, and even doubled, and more. The hon. gentleman had voted for this increase. The hon. gentleman would soon have occasion to explain to his electors why the duty on tobacco was doubled, why he had encouraged this policy, and why he had sustained the Government which proposed it. The position taken by the hon. the Minister of Inland Revenue was not logical. If tobacco could not be cultivated in Canada, no danger to the revenue need be feared from the passage of this motion.

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

#### After Recess.

MR. LANGEVIN said that before the House rose for Recess, he was saying that the hon. Minister of Inland Revenue had stated that tobacco could not be grown to advantage in this country, that the climate was against it, that the early frosts would destroy it, therefore we could not expect that the plant would be cultivated to such an extent as to make it an article of consumption. If that was the case, then we should lose nothing by the abolition of the excise duties on tobacco. The hon. gentleman went further, and said that even the small quantity we could grow in this country was of such an inferior quality, it could not compete with the imported article. Therefore, what need was there to be alarmed at this motion. But he had shown the hon. gentleman that tobacco was grown in some countries in large quantities, and would be grown to a much larger extent if it was left untrammelled by excise duty. Since 1870 the duty on it had been increased by hon. gentlemen opposite to nearly double, the increase being much larger on Canadian grown tobacco than on that grown in foreign countries, while the latter was of much greater value than the product of

Canada. Looking at the prices of the article, they found the foreign quoted at 100 per cent. more than the Canadian, while the increase on the Canadian tobacco, instead of being 5 per cent. was a little over 45 per cent. This was the way those gentlemen had protected the Canadian industry in the cultivation of tobacco. The reasons were quite evident in favour of the cultivation of Canadian tobacco, which could be done with great advantage. The motion of his hon. friend from Beauce did not say that Canadian tobacco should be free of duty for all time to come; but it should be free for a certain number of years until its cultivation and manufacture had become sufficiently developed to allow of a tax being imposed. The farmers asked to be allowed to cultivate this plant without restriction, which would give them a large return. This class deserved to be protected, if any discrimination were made, more than any other, as on that class we all depended for the necessities of life. But the Government said that their predecessors put an excise duty on tobacco. But the duty then was such that the farmers could profitably cultivate the plant, while to-day the duty was a prohibitory one. The hon. the Minister of Inland Revenue had libelled the Province of Quebec, no doubt unwittingly, when he said its climate was not suited to tobacco cultivation. The hon. gentleman should remember the time when the Province of Quebec not only raised quite sufficient wheat for its own purposes, but exported very large quantities. He knew that the farmers now, after a number of years, during which they did not cultivate wheat to the same extent on account of the weevil, were returning to its cultivation and increasing the quantity every year. He had received a letter from the Lower St. Lawrence, stating that, owing to the fine season, the farmers were planting double the quantity of seed this year than previous years. He did not agree with the criticism of the hon. the Minister of Inland Revenue, and would vote for this amendment.

MR. BABY said this question being one in which his constituents were considerably interested, it was his duty to

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come forward and press their views on the attention of the House. Down to the moment when the duty on tobacco was in the same measure doubled, the raising of tobacco in the Province of Quebec was greatly extended. As all knew, for some reason or other, the wheat crop in that Province was not large; sometimes this was due to extreme warmth, at other times to the long drought or to the heavy and continuous rains, and owing to this fact, the farmers of the Province had to devote themselves to the growth of other cereals and plants; and hence, during some years, the cultivation of tobacco was very largely increased. He spoke with *connaissance de cause*. But when this Government raised so considerably the duty on tobacco, and enforced the law so rigorously as they did through their officers, the farmers were obliged to stop raising this article; and, as a consequence, this entailed a heavy loss on the farmers of Lower Canada. He did not say that tobacco was raised in all the counties of Lower Canada. It, as well as cereals, was raised in certain counties more than in others, according to the nature of the soil and surroundings. In the counties of Joliette and Berthier, and above all in Montcalm, an enormous quantity of tobacco was raised, and a number of the farmers had principally supported themselves by this means; but to-day they were obliged to wholly abandon this source of income. And what had followed? These farmers had necessarily lost a very large sum in the returns they obtained from their land. The culture of tobacco succeeded perfectly in Lower Canada. For some years he knew that this had been the case. He could attest that this had been the fact during his experience of the past twenty years, and he was perfectly aware that it grew there to perfection. The same statement was true with regard to wheat. The hon. the Minister of Inland Revenue alleged that wheat, like tobacco, could not be raised successfully in the Province of Quebec, but the hon. gentleman ought to know better; he should know, for instance, that formerly from the district of Richelieu, an enormous quantity of wheat was exported. That region was well then called the *grenier* of Lower

Canada; but as was well known, the cultivation of this cereal was impeded by the advent and ravages of the weevil, which had now disappeared, and, at the present time, the farmers of Lower Canada were sowing a large quantity of wheat. The return was considerable, and the farmers of Quebec were not far from the day when they would be no longer obliged to import the wheat and flour which they required for the support of their families. It seemed to him, as the hon. member for Charlevoix had remarked, that the farmers of Lower Canada were in need of this protection. He did not look at this question as affecting a luxury which could be well dispensed with, but considered it in respect to the revenue the farmer derived from the cultivation of the plant. The hon. the Minister of Inland Revenue had told them it was necessary to impose this tax to carry on the Government of the country. He understood perfectly well that it was requisite to impose certain taxes on luxuries, etc., but he did not regard the cultivation of tobacco as coming within the category of luxuries, but as an industrial pursuit, which concerned largely the agricultural interests. And this was a matter of the highest necessity to the farmers, owing to the profit that it gave them. In the report, which had been placed in the hands of hon. members, it would be seen that 9,000,000 odd lbs. of tobacco were imported in leaf; and, if the farmers were protected with regard to the cultivation of tobacco, they could take away the necessity which now existed as to the importation of this article, and thus largely benefit this country; since, nearly ten millions of pounds were imported. They could thus meet this want. Farmers were permitted, in all parts of the Province, to raise tobacco for their own use, to some extent, but there were districts where they did not cultivate tobacco, and, consequently, the protection now requested would largely benefit Canadian farmers. Why should we permit the entry of the American leaf and other foreign tobaccos into this country? The hon. the Minister of Inland Revenue said that we could not raise a superior quality of tobacco, and even if it matured in this country it

was always of an inferior quality. He differed in opinion with the hon. gentleman, to whom he would observe that he (Mr. Laurier) had not studied the matter, and was not aware of the facts. Probably the hon. gentleman was not a smoker, and did not know how to distinguish the quality of tobacco. He (Mr. Baby) could say that the tobacco raised in this country was of good quality. He had a perfect knowledge of the matter; and the hon. member for Montcalm could state that a considerable quantity of tobacco of very good quality was raised in the county of Joliette and in the surrounding counties, and sold at as high a price on the Montreal market as the foreign article. He did not mean to say, of course, that there were no better tobaccos imported from foreign countries than the Canadian article. There were, for instance, the highly-flavoured cigars smoked by the hon. Minister of Justice, who knew so well how to sooth thereby the anxieties of life, a tobacco which could not be had in this country certainly. But, nevertheless, tobacco of good and excellent quality was formerly raised in the Province of Quebec; and why was this not still the case? If the Government had at heart the interest of the agricultural class, which was in English called "the bone and sinew of the country," it would undoubtedly grant the request of the hon. member for Beauce. A light tax might, meanwhile be levied on home-grown tobacco, but, with the present duty, the cultivation of tobacco in Canada was rendered impossible; above all, under existing circumstances. He was consequently in favour of the motion of the hon. member for Beauce.

MR. LAFLAMME said he was surprised to hear the hon. member for Charlevoix express the opinions to which he had given utterance to-night, in relation to the motion of the hon. member for Beauce. The hon. member seemed to have forgotten that it was he and his friends who first imposed this tax. In 1868, the proposition was made by the Government, of which he was a member, to impose a tax of 17c. per lb. on Canadian manufactured tobacco, and 15c. per lb. on foreign tobacco. The proposition was

discussed at length in Committee, and an hon. member (Mr. Godin) proposed in amendment that the Bill be re-committed to a Committee of the whole House, with instructions to amend the same, as follows:

“1. By striking out section 3, which read as follows:

3. All tobacco grown in Canada and prepared for sale, shall, when it passes out of the possession of the occupant of the farm or premises upon which it was grown, be carried directly to and deposited either in a licensed tobacco manufactory, and entered in a licensed tobacco manufactory, and entered in the stock-book of the manufactory, or it shall be bonded in a tobacco warehouse in the same manner and under the same conditions as are herein provided with respect to raw tobacco imported from abroad.

2. By striking out sub-section 2 of section 9, which reads as follows:

And all raw or leaf tobacco grown in Canada, not bonded as herein required and removed from the farm or premises whereon it was grown, and in the possession of any person other than a licensed tobacco manufactory, except only for the purpose of carrying it directly to some licensed tobacco manufactory or to a tobacco warehouse, the proof whereof shall be upon the person having possession thereof; and also the amendment to sub-section 3:

3. By striking out of section 10 of the said Bill, the words, ‘or grown in Canada’ which occur in line 4 and 5 of the said section inserted instead thereof.

These amendments had certainly been made with a view to protect the cultivator and to enable him to bring his tobacco to the manufacturer without any restriction, yet they were negatived, and among the “nays” was the name of the hon. member for Charlevoix. A second proposition was made the same day at a latter stage of the Bill, by Mr. Godin, seconded by Mr. Pâquet:—

“That all the words after ‘the’ to the end of the question be left out, and the words ‘Bill be re-committed to the Committee of the whole House, with instructions so to amend the same as to exempt from payment of all duties, leaf tobacco grown in Canada’ inserted instead thereof.”

A division was taken on this amendment and the hon. member for Charlevoix, as the seconder for the hon. member for Beauce, the hon. member for Bellechasse, voted against it. Consequently the hon. member for Charle-

voix believed it was necessary to impose this restriction on the Free-trade, and free production of Canadian tobacco of 4c. per lb. He (Mr. Laflamme) did not blame him, for the result proved that the tax on tobacco produced a revenue of \$1,600,000 which went to relieve the agricultural class who did not pay this tax. It was the consumer who paid it. The agricultural class were allowed to produce the tobacco which they consumed free of tax, consequently no portion of this \$1,600,000 was paid by them. What was the object of the present motion? It was to shift this tax of \$1,600,000 from those who now paid it, and place it on the agricultural classes, because this tax must be raised, and if not imposed on tobacco it would have to be imposed on some of the prime necessities of life. He defied hon. members to point out the means of imposing another tax which would raise a similar amount and be as lightly felt as this tobacco tax. The hon. members for Charlevoix and Joliette had pretended that this tax was prejudicial to the production of tobacco. Any man who examined the question fairly would see that it was a tax in favour of indigenous, and against the importation of foreign tobacco. The duty was not imposed so long as the tobacco was in the possession of the cultivator, and not manufactured. The proposition of the hon. member was most illogical. At present an *ad valorem* duty of 12½ per cent. was imposed on foreign tobacco, and a specific duty of 24c. per lb., and an excise duty of 20c. per lb. The only duty imposed on Canadian tobacco was an excise duty on the manufactured article of 10c. per lb., so that there was a protection to it of 25c. per lb. specific duty, 12½ per cent *ad valorem*, and 10 cents per lb. excise. If the law were rigidly enforced, the Canadian producer would be obliged to bring his article to the licensed manufacturer, and obtain, in the end, a higher price for it than he now received through illegal traffic. If his tobacco only sold to-day for five cents per lb., it was because he sought to evade the law. The hon. member for Charlevoix argued that our climate was as favourable as

others to the culture of the plant; if so, what need had the Canadian producer of greater protection than he enjoyed at present?

**MR. BABY:** Is not the leaf of foreign tobacco admitted free?

**MR. LAFLAMME:** Yes; but the moment it was manufactured it paid the duty. He contended that tobacco was not a natural, legitimate, product of Canada, and those who had entered into its cultivation on a large scale had, with rare exceptions, found it to be a ruinous production. The revenue on tobacco was indispensable to the Administration, and could not be replaced in any other manner. In fact the duty ought to be raised, as this weed was injurious to the health of those who indulged in it. A more legitimate or less onerous tax could not be raised, and were it to be removed it would have to be imposed on the prime necessities of life. The law should be put in force so as to hinder frauds on the revenue, and no exemptions from seizure should be allowed where there was a manifest infraction of the law. When a cultivator of the plant would know that the law would be rigidly enforced, he would bring it to the licensed manufacturer and obtain the highest price. The hon. member for Charlevoix endeavoured, to day, to raise prejudices, by means of this cry of taxation, in face of his own course in 1868, among a population which had not occasion to understand the real merits of the question.

**MR. CARON** said, evidently, the hon. the Minister of Justice was not *au fait* on this question. Were he to state in Quebec that the use of tobacco was injurious, he would be told that he knew nothing about it, or that he had not taken the trouble to examine it in all its details. As a representative of an agricultural county, he would state that the culture of tobacco was yearly extending. It had been said the tax originated under the Conservative Administration. He thought that when hon. gentlemen opposite succeeded to power, they would have removed all those abuses. The former Government had imposed a tax on Canadian tobacco of 7 c. per lb.; under the present Government, it had been raised

40 per cent. If the tax were abolished, a great development would be given to a national industry in the production of an article which was, in fact, a necessity. He could understand that to the people of the town, whose habits were mainly sedentary, the use of the weed might be injurious; but not to the agricultural population, whose work was done in the open air, and whose only luxury was their pipe. The hon. Minister had said this tax was an indispensable one. He would ask the hon. Minister how much this tax produced? If it were lowered, would the revenue suffer to any serious extent? It was an insignificant tax, which only brought in some hundreds of dollars, and which hindered the development of an industry which would otherwise assume considerable proportions. He was willing to leave this question to be considered by the people of the Province of Quebec, who understood it perfectly, and who would understand that the reasons given by the hon. the Minister of Justice would not weigh against those advanced in favour of the motion of his hon. friend from Beauce.

**MR. DESJARDINS** said he had been disappointed by the remarks of the hon. the Minister of Inland Revenue. Knowing that in the Province of Quebec there existed great political men in close relations with the hon. members opposite who claimed to have discovered a system by which they could administer public affairs without taxes, only by means of economy and retrenchment, he would have expected that the Government would have borrowed the secret of such a system, and benefitted by the occasion offered to them by his friend for Beauce to adopt it to the Federal policy. According to the views expressed by the hon. the Minister of Justice, the removal of the tax imposed on Canadian tobacco was not, in itself, a very important question, as a matter of revenue to the Government, it was true, and the affirmation of the hon. gentleman had only confirmed this view. The report of the Minister of Inland Revenue stated as follows: "The quantity of Canadian leaf taken for consumption as such,

was at its maximum in 1873-74, when it amounted to 113,797lbs. Since then there has been an annual decline until last year, when it amounted only to the nominal quantity of 8,630lbs." Thus, thanks to the increase of the duty on tobacco made in 1873-4 by this Government, they saw that the effect of the financial policy of this Government affected the cultivation of tobacco in the same manner as it did all our other industries. The result of the policy of this Government had been to kill this industry, and despite such result the Government insisted on maintaining their policy under the pretence that they could not afford to dispense with the revenue which could be obtained therefrom, when the actual revenue to be derived from the Canadian tobacco, as admitted by their own report, was taken only upon the small quantity of some 8,000 lbs. Now, the hon. the Minister of Justice affirmed it would be a loss to the revenue of the country to the extent he had mentioned. The Government was unjustifiable to paralyse this industry in the Province of Quebec, and all through the country when they saw the effect which this duty produced. He was surprised to hear the hon. the Minister of Inland Revenue, who had shown himself so particularly in favour of the people's interests, support the maintenance of this duty, when he knew himself that the quality and price of tobacco grown in this country was suited to the wants and means of the greatest portion of our population. The hon. gentleman made this distinction: he said that tobacco was more easily raised, and in better quality, in countries south of ours, and the farther south they went the superior became the quality of the tobacco grown. If such should be the case, was it not true that putting aside the duties on Canadian tobacco would not prohibit the importation of foreign tobacco into our own market. Why should they add to the difficulties of Canadian producers by putting them, with regard to taxes, on an equal footing with the producer of the foreign article? Why should not Canadian tobacco be made duty free, when this action did not virtually increase the revenue collected by the Government? The statement of the

MR. DESJARDINS.

hon. gentleman (Mr. Laurier) as to the condition of the cultivation of tobacco in this country, as compared with that of other countries, went against his objection that the removal of the duty from Canadian tobacco would destroy the revenue which the Government expected to obtain from the duty levied on the foreign article, because such removal would be the equivalent of prohibition. It was clear, from the reports of the hon. gentleman himself, and from the experience which had been acquired, that the law which imposed this duty did not offer any compensating result. The only effect of such duty, besides depreciating the chances of growing tobacco in this country, was to establish a system of contraband, which was operating both against the farmers and the Government itself. The hon. gentlemen opposite were perfectly well aware that the instructions which were given to the Excise officers in the different districts, relating to the Excise duties on Canadian tobacco, gave those officers the liberty to act in the most arbitrary manner. It might happen that, on the eve of an election, a seizure would be made upon some implicated man in a township or parish, so as to keep him under the good will of the Department so long as the political need of the moment would require it. He remembered that last Session this matter was brought before the House, and the hon. the Minister of Inland Revenue of that day was asked to explain what had been done with regard to certain seizures made on the eve of a certain election, and which had been left suspended over the heads of the individuals concerned. The matter, if he was well informed, had only been settled after the election was over. This was only one of the inconveniences of the present system. To justify the injurious duty thus imposed, the hon. the Minister of Justice now pretended that the use of tobacco was injurious to the population, and that he would be disposed to raise even higher the duties on that article. This would certainly be great news to the people of the Province of Quebec, who had never imagined that the use of tobacco, as was customary in that Province, could have such an injurious

effect as to make the Government desire to raise the duty considerably, so even as to prohibit it the employment of this article. The farmers in particular would not be able to understand this pretension. It seemed to him that this statement was a little egotistical. The working population might indeed not have the means of procuring all the articles of luxury, which, for instance, a Minister could obtain—they did not have all these means of enjoyment that a man like the hon. Minister of Justice could procure. Why, then, should he be disposed to deprive them of the cheapest and least offensive luxury they could procure? Would it not be a cruelty to deprive a man, who had gone through a day of weary labour, from having his smoke whilst reposing after the fatigues of the day? He was not ready, for his own part, to deprive the working people of this comfort. When the members of this Government were in opposition, they evinced extraordinary anxiety for the well being of the people. How soft were their protestations of love and devotion for the "good people," the "good working-man," and the "good habitants". But they now seemed to have forgotten the "good people" of former times. It was true that the possession of power sometimes tended to spoil these kindly dispositions on the part of Liberals, and that things did not appear to them under the same light. True it was, that what appeared to be very easy while in opposition, seemed to be excessively difficult when once hon. gentlemen had obtained the reins of administration, and assumed the responsibilities of office. Nevertheless, he could not believe that such position would justify any party, when in power, to go so far as to turn their backs on all the things, and all the principles, and all the political questions which it advocated in Opposition. If, amongst many others, any question had been strongly agitated in the Province of Quebec, it was certainly the question which concerned the duty on tobacco. He remembered having heard himself very eloquent speeches made by hon. gentlemen opposite, who complained loudly of the late Government in this relation, for having gone to the length of taxing

the tobacco grown by the people of Canada: and to-day, when a good occasion for carrying these declarations into effect presented itself, the heads of the party refused to act and give that relief that the farmers had the right to expect from them. They spoke of the needs of the public treasury, but were they not aware of the new system that was now inaugurated in the Province of Quebec, through their friend and ally, Mr. Joly? Let him quote a few words from the grand manifesto of that great statesman:—

"The new Cabinet proposes to meet the obligations of the Provinces, and to execute the enterprises to the accomplishment of which public faith has been engaged, by a system of economy and retrenchment which shall exempt the people from the burden of new taxation."

To adopt a system of economy and retrenchment, of which they had, no doubt, need, no person would certainly object to that. Nobody would deny moreover that this was imperatively required in the administration of Federal affairs at the present time. But he could not help remarking that, whilst in Quebec, they were boasting of being able to govern, administer public affairs, and even construct railways without taxes, but only by means of economy and retrenchment, here the same class of politicians refused to consent to any reduction of taxes, even of such taxes as that on Canadian tobacco, which operated so disastrously on a natural production, without affording any compensation virtually to the public treasury. A good occasion was now presented to the Government to show what their feelings were towards Canadian industry, and he regretted to see that this invitation to adopt a measure which would be not only extremely popular in the Province of Quebec, but would protect a very profitable branch of culture in the country, did not have the advantage of meeting with the sympathy of the hon. the Minister of Justice and the other members of the Government.

Mr. DUGAS said that the question before the House was so important and of such vital interest that he could not let it pass without remark. He congratulated the hon. member for Beauce

on having made this motion, which so closely concerned the interests of the farming population, who would be benefitted by its adoption. The present duty on tobacco practically prohibited its cultivation in the Province of Quebec. As the hon. the Minister of Finance had stated in his Budget Speech, it was a matter of prime necessity to favour the agricultural class, which formed the most important part of our population. If the hon. gentleman was sincere in this expression of opinion, this was a favourable occasion for him to prove his sincerity to the country by supporting the motion of the hon. member for Beauce. The hon. the Minister of Inland Revenue had declared that the climate of this country was not adapted to the cultivation of tobacco, and that, if they reduced the Excise duty on Canadian tobacco, it would also be necessary to reduce the duty on foreign tobacco; but this was not the object of the motion before the House. They merely asked for the protection of the home industry and they wished the duty on imported tobacco to remain as it was. The hon. gentleman also said that our tobacco was inferior to the foreign article; but if so, we could not then compete successfully with our neighbors in this particular, and, as a consequence, the duty on foreign tobacco need not be lowered. The hon. the Minister of Justice had attempted to prove, that it was absolutely requisite to take steps to cause the use of tobacco and spirituous liquors to disappear from our midst, and to impose a high duty on Canadian tobacco, which he (Mr. Dugas) considered to be a source of wealth to our farmers. It was necessary to protect the interests of the farming population, which was admitted by the hon. the Minister of Finance to be the first and most important class in the country; and it furnished to the other portions of the population the means of subsistence. He ventured to hope that hon. members would seriously consider this question, and, refusing to be guided by party feelings, would vote for the motion of the hon. member for Beauce.

MR. CASGRAIN said he regretted that this motion was made so late in

MR. DUGAS.

the Session. It was, perhaps, the result of an after-thought on the part of the hon. member for Beauce. Nevertheless, he would take it as it came. He was surprised to hear hon. gentlemen opposite denounce, with so much vehemence and force, the proposition made from that side of the House for the continuance of this tax. He had asked himself, how was it that hon. gentlemen opposite made such a *volte-face* in their position, for these very hon. gentlemen imposed this duty in 1868. In the Votes and Proceedings of the House for the 19th of May, 1868, he saw the names of the hon. members for Charlevoix, Kingston, Bollechase, and Terrebonne; and these hon. gentlemen had then voted for the imposition of this duty. It was true that they were then in power, and had to impose certain taxes in order to raise a certain revenue. They did not fear to levy taxes or to increase the public debt; and the result was that now these hon. gentlemen wished to leave the debt, but not permit the present Government to obtain the revenue necessary to pay these very liabilities. The hon. member for Joliette praised Canadian tobacco, but he did not believe that the hon. gentleman and several of his colleagues had heads strong enough to support the force of this narcotic, though it was certainly a quality of tobacco with which the agricultural class was satisfied. Those who desired a luxury, procured the foreign article. He would say more,—the foreign tobacco which came from Belgium could be obtained for a less rate than Canadian tobacco; and the Syrian and Belgium tobacco was infinitely superior to the home grown article, besides being certainly cheaper. Canadian tobacco was the dearest, in spite of freight and duty. Cigars manufactured in Belgium could, for instance, be bought for less than those which were made here. He regarded this question as he thought it ought to be considered in this country. He was perfectly well aware that the farmers of this country ought to be protected with reference to certain articles, and to this he had no objection; but he did not see what good could be done by means of a motion which, in England, would be



termed a clap-trap motion. In the present instance, he understood that the farmers could be benefitted by the remission of this duty. The farmers believed that they could secure a certain advantage by cultivating tobacco, although perhaps if the matter was examined very closely, it would be seen that these people were deceiving themselves, and that this industry was not so remunerative as they imagined. The only advantage which the farmers could obtain from raising tobacco was this: they grew a considerable quantity of it, and the whole of this was placed on the market at reduced prices, because it was inferior in quality to the foreign article. All they could say was that they could sell it. It was produced by the farmer, placed on the market and mixed with foreign tobacco, and did not have the duty paid on it. Up to the present time the duty on foreign tobacco had been high enough to protect sufficiently the Canadian tobacco. Nevertheless, the people complained of this tax. He considered that it would be a very difficult matter to remove this tax, though it contributed very little to the revenue. Perhaps the duty paid on home-grown tobacco did not even pay the cost of collection, but this did not imply that it ought to be entirely removed. He believed that the time would arrive when an equilibrium would be established between the diminution of the duty on Canadian tobacco and a slight increase on the imported article. In the county which he had the honour to represent, a very considerable quantity of tobacco was raised, and these farmers thought that the cultivation of this tobacco was advantageous to them. This was the prominent fact before him; and he had but recently placed on the table of the House a petition from a number of his constituents, praying that the duty on foreign tobacco should be increased. He did not wish to say whether his constituents were right or wrong in this particular, but this was their impression. They thought that it would be advantageous to have the home-grown article protected, as they raised it. He had his duty to perform, and he was sent here to meet the desires and views of his constituents. He was

bound to secure justice for them as far as lay in his power. This tax had been imposed by the late Government; and the present Government had exempted from duty the tobacco raised by Canadians for home consumption. This was a very considerable privilege, but it did not extend to the article sold for commercial purposes. This tax on imported tobacco was legitimately levied in order to meet the requirements of the country. He believed that the hon. member for Portneuf had a large share in securing the exemption of home-grown tobacco used by the farmers themselves. The present duty on home-grown tobacco was little enough; and, inasmuch as the collection of the duty on Canadian tobacco cost nearly as much as this portion of the revenue amounted to, and as quite a number of farmers in his county desired that Canadian tobacco should be freed from duty, and as he was glad to be able to meet the wishes of this class of the population which he had the honour to represent, he proposed to vote for the motion before the House.

MR. CARTWRIGHT said that before this motion was put to the vote he desired to say a few words on this very important question, as to how the revenue of the country might be affected if the motion prevailed. He doubted if it were possible to have introduced a motion of this kind at a period when the revenue was less prepared to allow any dangerous experiment of the sort to be made. Probably the House, or at least some members of it were not aware, though he believed that it was mentioned once or twice that evening, that nearly two million of dollars of the existing revenue were derived from tobacco. The actual revenue from this source during the past year, was no less than \$1,625,000 from that quarter. Those acquainted with the existing state of the law, and should know the extraordinary privilege which had been conceded to persons engaged in the growth of tobacco in this country, might well be surprised that under the circumstances an attempt should be made to deprive the revenue of this country of the sum of from \$500,000 to \$800,000 per annum, on so extremely flimsy a pretext. As

the law stood, every inhabitant of Canada and particularly every inhabitant of Lower Canada, was permitted to grow for the use of himself and his family, all the tobacco that they could possibly consume; in addition to this, he was not required, as in most other countries, to pay an excise duty at all in proportion to the amount which was levied on tobacco imported into this country. Hon. gentlemen who by voting for this motion favoured a reduction in the revenue from this source of from \$500,000 to \$800,000 a year, should be prepared to inform their constituents how they proposed to make good that deficiency. As matters stood at present, he did not see how the loss to the revenue could possibly be made good, unless by very considerable direct taxation—a step which he thought few of the constituencies of this country would welcome in exchange for the loss of duty on tobacco. He would say nothing as to the injury to our credit, which would inevitably ensue if we showed to the world, and particularly to individuals with whom we might have financial relations, that we were prepared to allow such perilous experiments to be made with one of the main sources of our revenue. For his own part he had always said that he would be very glad to see not only this, but other duties reduced, if the revenue permitted. There were, however, few things on which a duty could be more properly levied than on tobacco. He would also remind the House that, although the present duty on tobacco might appear considerable compared with the duty formerly levied in this country, it was utterly insignificant compared with the duties levied in other countries, particularly with the duty levied in England, which was at present in excess of 4s. sterling. He believed that, under the recent proposition of the Chancellor of the Exchequer, it would amount to something like 4s. 8d. or 4s. 10d. sterling per lb., being nearly five-fold the duty levied in Canada. He need not remind hon. members of the House that the growth of tobacco in Great Britain was prohibited altogether under very severe penalties, vastly more severe than we had ever thought of adopting. He particularly

Mr. CARTWRIGHT.

desired to call the attention of hon. members whose constituents might be interested in the matter, to the simple fact that, under the scale of duties as adjusted by the present Government, those constituents were not injured thereby, but gained a very considerable advantage. Under the duties imposed by the late Government, in 1868, which were 10c. per lb. on imported tobacco, and 5c. on tobacco grown in this country, the native producer had an advantage over the foreign producer of 5c. per lb. only. Under the present scale of duties of 20c. on imported tobacco, and 10c. on that grown by the native producer, there was a clear advantage to the latter of 10c.; in other words, he had, by the duties of 1874, gained an additional advantage of 5c. over the foreign producer. Now, when it was remembered that the foreign tobacco imported into this country, amounting to nearly 10,000,000 lbs., it would be seen that the Canadian producer had at the present moment an enormous advantage, if he could produce an article which would enter into competition with the foreign product. He had called attention to these few points, because he thought it was very desirable not only that hon. members of the House, but also their constituents throughout the country, should understand distinctly what was aimed at by a motion of this kind. There could be no doubt whatever that if this rate was passed, if the duty now imposed on tobacco grown in this country was abolished or curtailed, a very considerable production of native tobacco would take place—though he was inclined to think this production would take place more largely in certain localities in Ontario than in Quebec. But, in any case, the inevitable result would be, first, an enormous reduction in the duty now obtained from that source, and, in the next place, a very heavy direct taxation would be levied in some form on the whole people of this country. He could conceive no proposition, under present circumstances, more mischievous; no proposition more likely to injure our credit, or which ought to be more unani- mously condemned by the House. No proposition, he might venture to say,

should be more unanimously condemned by those hon. gentlemen who at one time or other had themselves been responsible for the providing of ways and means. He did not know what line might be pursued by hon. gentlemen opposite, but he would take the opportunity of referring to the course pursued by his hon. friend beside him (Mr. Mackenzie) on similar occasions, when propositions were started by friends of his to reduce the duty on tobacco. Although the hon. member for Lambton was, doubtless, anxious to embarrass the Government of the day in a fair and honourable way, his name had always been recorded beside that of the hon. member for Kingston and his colleagues in opposing the reduction of the duty, because he felt it was essential to the proper conducting of the Government of this country, that the revenue should be maintained, and that it would be easier to forego any other duty than the duty on tobacco. He would fain express the hope that hon. gentlemen opposite, who were men of experience and ability, and who must know that it would be utterly impossible to replace this tax without a very heavy direct taxation, and knowing, also, the enormous and extraordinary indulgences which had been already conceded to parties supposed to be interested in the production of tobacco, would imitate the example set by the hon. the First Minister, and allow their votes to be recorded in support of the existing mode of collecting a revenue—a revenue which was always looked upon as one of the fairest modes of raising taxes which prevailed in any civilized country. He had no hesitation in saying that it would be a most unfortunate thing if the motion of his hon. friend from Beauce was allowed to prevail. He had no doubt whatever, if the House were ill-advised, they would entangle themselves in infinitely worse difficulties than those which they were likely to meet with if the proposal was rejected.

Mr. PLUMB said a touching appeal had just been made by the Finance Minister to hon. gentlemen on the Opposition side. He had given as a reason why the resolution should be

rejected, that it would largely reduce the public revenue when the country could least afford any experimental legislation which tended to the reduction of the revenue. But the hon. Minister was not in accord with the Minister of Justice who represented, in a certain way, the interests of the Province of Quebec. That gentleman had told the House that tobacco would ripen in the Province of Quebec, and there could be no harm in making an experiment. When the hon. gentlemen in the Ministry, who were responsible for the affairs of their own Provinces, made such representations on the floor of the House, their utterances must be accepted rather than the merely financial view of the question given by the Finance Minister on this occasion. It was a very serious question, certainly, for the House to entertain, whether the public revenue should be endangered in any way at this critical moment—at a moment when the Finance Minister of the country had declined to deal with deficits which had accrued, and which were still likely to accrue, by providing a means of taxation to bring up the revenue to something like the expenditure. There would have been no necessity for such an appeal being made by the Minister of Finance, had he provided for the deficits, which were staring us in the face. He ventured to say, further, that the House would be perfectly justified in permitting agriculturists to make an experiment in the direction indicated by the resolution of the hon. member for Beauce. The resolution had been brought forward in the interest of the agricultural community. The growth of tobacco in this country had been entirely tentative. It had not been grown on a large scale, and the carrying of this resolution might have the effect of fostering what would probably prove a great industry. There was a case in point. Everyone knew what the growing of beet-root had done for France, although the proposition was not at first approved of.

Mr. STEPHENSON said that in the western portion of Canada the production of tobacco had been greater than at present. Returns showed that in 1851

no less than 313,189 lbs of tobacco were raised in the county of Kent, and 457,111 lbs in the county of Essex, making a total of 770,300 lbs.; while in 1871, the production throughout the whole province of Ontario had fallen to 399,870 lbs.; only 163,152 lbs. were produced in Kent, and 190,692 lbs in Essex, showing that under the present system of taxation, the production of tobacco was almost driven out of these two counties. The opinion in the West was that those who wished to use the imported tobacco, to the exclusion of our own, should pay an increased tariff, and that, if the duty on tobacco imported from abroad were not increased, the Government should reduce the tariff on our own, which was worth so much less, or take it off altogether. He thought that if some such alteration was made in the tariff, it would encourage the growth of our own tobaccos, and he trusted the resolution would receive a very large support.

**MR. TUPPER** said he rose for the purpose of noticing a very remarkable statement which had been made by the hon. the Finance Minister. In his Budget speech, the hon. gentleman said that, if he had no ready means of collecting it, he would prevent a deficit by resorting to an income tax. The hon. gentleman had again made a very damaging statement, as far as the credit of the country was concerned, namely, that the passage of this resolution would endanger the loss of some \$500,000 a year of revenue, and that he knew of no means by which that could be made out, except by resorting to direct taxation. He believed that a more unfounded statement with reference to the financial condition of this country, it would be impossible to imagine. Had it come to this, that after everything the hon. gentleman told the capitalists of the world, four years ago, of the prosperity of this country, all the results of indirect taxation were exhausted, and that there were no means of repairing a loss of half a million, except by resorting to direct taxation. He thought the hon. gentleman had not considered the weight that would be attached to his words, or he would not have made a

statement so reckless. It was not only calculated to damage the credit of the country, but was a direct contradiction of what the hon. gentleman said only a year ago, when he stated, while asking for the imposition of a certain amount of taxation, that we had large resources of taxation yet left untouched, upon which we could fall back and sustain the credit of the country. The remarkable contradiction that had taken place between two members of the Government on this question had already been noticed by the hon. member for Niagara (Mr. Plumb). He had drawn attention to the fact that the Minister of Inland Revenue, who was specially charged with the revenue of the country and the particular taxation interfered with by the resolution, had stated that this resolution would be entirely inoperative, because the climate of the country was so utterly adverse to the growth of tobacco as to render it quite impossible, if it had any encouragement, that any material quantity could be grown. The hon. Minister said the resolution would be innocuous and useless, and that no one would be tempted to grow tobacco in this country. The hon. Minister of Finance regarded the climate as eminently adapted to the growth of tobacco.

**MR. CARTWRIGHT:** The hon. Minister of Inland Revenue spoke in French, but, if I understood him, he spoke of Lower Canada; I spoke of a part of Upper Canada, which is entirely different.

**MR. TUPPER** said that if the hon. gentleman undertook to make a proposition of this kind by reference to a particular locality, he could only say that he entirely failed in the discharge of his duty to this House. The Minister of Inland Revenue was not Minister for Lower Canada, or one Province of the Dominion, but for the Dominion of Canada. In this disparity of statement he was disposed to place confidence in that of the Minister of Inland Revenue, because the hon. Minister of Finance could not be supposed to have the same sources of information at his command. He thought the hon. Minister of Finance

**MR. STEPHENSON.**

had altogether overstated what the effect of this resolution upon the revenue would be. The cultivation of tobacco in Canada was only an experiment, and it would be years before it would compete with the tobacco of warmer climes. He should vote for the resolution.

MR. PATERSON said that although the question was one which largely affected the Province of Quebec, it was one of very considerable importance to the people of other Provinces. The resolution was one which meant that those in the other Provinces who consumed tobacco, and who were willing to pay a fair share of the tax, should be burdened with the whole of it, while their friends in Quebec should escape clear of the duty. He was glad that the hon. member for Charlevoix had publicly called the attention of the Government to the fact that the growers of tobacco in Quebec were evading the payment of the duty. He believed the same was true of those counties in Ontario which were the only counties that raised tobacco at all, for he found by the Inland Revenue returns that these counties only accounted for four pounds as having been raised by them. The tariff of 1874, introduced by the present Financial Minister, had given a far greater amount of protection to the Canadian farmer in the growth of Canadian tobacco, than the tariff of the late Government. In 1867-8, the tariff introduced by the then Government, imposed a Customs duty of 15c. per lb. specific, and 5 per cent. *ad valorem* on imported tobacco. Estimating the value at 50c. per lb., that would give 2½c. per lb. on the *ad valorem*, which added to the Customs duty, gave a protection of 17½c. per lb. The tariff of 1874 was 25c. per lb., and 12½ per cent. *ad valorem*. Taking the *ad valorem* duty on the same value of 50c. per lb., they had 6c. which made the whole Customs duty 31c. per lb. in 1874, as against 17½c. in 1867. Then, in 1877, there was also an excise duty of 5c. per lb. on the Canadian common twist; that left a protection to the Canadian farmer of 12½c. per lb. Under the present Government the excise duty was 10c. per lb., which, deducted from

the 31c. per lb., left a protection of 21c., as against 12½c. under the previous Government. Hon. gentlemen would admit that in taking 50c. as the value he was under the mark, but that gave 8½c. per lb. more protection than was given by the previous Government in 1867. When the tariff was amended in 1870, according to the same mode of calculation, the Protection was 19c. per lb., while under the present tariff, it was 21c. per lb. He held that it was desirable that a certain amount of Protection should be given to the growers of tobacco, but he believed, under the present tariff, the Protection had been increased to such an extent that if the growth of tobacco was capable of being developed it would be under this tariff. If it was not being developed it was on account of causes which the abolition of the entire Excise duties would not at all countervail. It did not follow, as the hon. member for Charlevoix seemed to imagine, that because an hon. gentleman had stated that Lower Canada had not a climate suitable to the growth of tobacco, he was therefore decrying that country. Certain products could be cultivated successfully in particular climates, and it was a geographical and established fact, that tobacco of a market value could not be grown in any part of Canada. In the counties of Essex and Kent, where they grew finer tobacco than was grown in Lower Canada, he had bought samples for 7c. per pound which had been grown from precisely the same seed as tobacco grown in the State of Connecticut, which cost 40c. per pound. They could not hope to make the growth of tobacco in this country a national industry. There was no such revenue as the hon. gentleman had mentioned derived from the growth of pure Canadian tobacco; but if the duty on one class of tobacco was repealed the revenue would be defrayed by the manufacturers declaring other leaves to be the Canadian leaf. In that way a loss would be caused to the revenue. He considered it was the duty of everyone who desired fair play, and an equitable distribution of the taxes, to vote down this resolution, which was sectional in its nature, and which could not give protection to farmers.

MR. POPE (Compton) said he did not agree with the hon. gentleman who had just sat down. The object of this resolution was to give this industry encouragement, if it was one that could be profitably carried on. Upon what principle did the Finance Minister select the article of tobacco and say that the farmers who produced it should pay this amount of duty, while others might produce what they pleased without paying anything? If that was fair, why not carry it out to its legitimate result and make the producers of maple sugar in Lower Canada pay an Excise duty on it. Why not put a tax on hops, from which beer was made, which was as much a luxury as tobacco. There were millions of pounds of tobacco produced in Lower Canada, which did not appear in the Returns. The Minister of Finance would make a nice thing by putting a tax on butter, and he might as well put an Excise duty on butter as on these other products. A large crop of tobacco per acre could be raised in the Province of Quebec. He did not know enough about it to say what the quality would be, but that was largely determined by the way in which it was cured. It must be borne in mind that a very large amount of the tobacco grown in Quebec was used by the poorer classes of the people. Why, then, should they not be allowed to raise it? He had seen very good tobacco, and he had seen very poor tobacco grown in that Province. He did not believe that the system there of curing it was what it should be, but if encouragement were given, he believed that would improve it. The Minister of Finance had said that the only result of this would be direct taxation to the extent of \$500,000. Did he suppose that the poor people of Quebec felt that they ought to pay that amount, which should be distributed all over the country?

Motion in amendment (Mr. Bolduc) *negatived* on the following division:—

## YEAS :

## Messieurs

Coupal,	McCarthy,
Currier,	McGregor,
Cuthbert,	McInnes,
Desjardins,	McQuade,
Dewdney,	Schultz,
Dugas,	Short,

MR. PATERSON.

Ferguson,  
Fiset,  
McDonald (C. Breton),  
McKay, Colchester,  
Macmillan,  
McCallum,  
Stephenson,  
Thompson (Cariboo),  
Tupper,  
Wallace, (Norfolk),  
White (Renfrew).—32.

## NAYS :

## Messieurs

Appleby	Lajoie,
Archibald,	Landerkin,
Biggar,	Langlois,
Blackburn,	Laurier,
Blain,	MacDonald (Toronto),
Blake,	Macdougall (Elgin),
Bordon,	McDougall (S. Renfrew)
Borron,	MacKay (Cape Breton)
Bowman,	Mackenzie,
Boyer,	McCraney,
Brouse,	McIntyre,
Brown,	McNab,
Buell,	Malouin,
Burk,	Metcalfe,
Burpee (St. John),	Mills,
Burpee (Sunbury)	Norris.
Cartwright	Oliver,
Casey	Patterson,
Charlton,	Perry,
Cheval.	Pettes,
Christie,	Pickard,
Church,	Robillard,
Cockburn,	Roscoe,
Coffin,	Ross (Durham),
De Veber,	Ross, (Middlesex),
Dymond,	Ross (Prince Edward)
Ferris,	Rymal,
Flynn,	Scatcherd,
Galbraith,	Scrifer,
Geoffrion,	Shibley,
Gibson,	Sinclair,
Gillies,	Skinner,
Gillmor,	Smith (Peel)
Goudge,	Smith, Selkirk.
Guthrie,	Smith (Westmoreland),
Haddow,	Snider,
Hall,	St. Jean,
Higinbotham,	Taschereau,
Horton,	Thompson (Haldimand),
Huntington.	Trow,
Jetté,	Wallace (Albert),
Jones (Halifax),	Wood,
Kerr,	Yeo,
Killam,	Young.—90.
Kirk,	
Lafamme,	

House again *resolved* itself into Committee of Supply.

(In the Committee.)

## SUPPLY.

## XXII.—INDIANS.

165. For General expenses of the Manitoba Superintendency ..... \$18,300

*Indians of the North West.*

167. Salaries of School Teachers and cost of School Buildings.....	5,000
168. Annuities under Treaty No. 4.....	32,300
169 do do	6..... 40,050
170. do do	7..... 33,050

171. Agricultural implements, cattle, under Treaties No. 4, 6 and 7 (in last year, Nos. 4 and 6 only.....	38,000
172. Provisions for Indians assembled to receive annuities under Treaties Nos. 4, 6 and 7, in last year, Nos. 4 and 6 only.....	37,000

MR. SCHULTZ said there was something radically wrong in the fact that it required this year \$54,000 simply to feed these Indians, while they were present only a couple of days to receive their annuities.

MR. MILLS said the sum was very large; but it was one they were obliged to provide while the Indians were settled on reservations. Those Indians were scattered over an immense extent of country. They had to be provided with means of subsistence when they presented themselves to receive their annuities, which it took two or three days to pay. The actual expenditure for provisions was \$38,884.

SIR JOHN A. MACDONALD: Enough to feed an army.

MR MILLS said they were an army, being nearly 20,000 Indians. The supplies had to be carried a distance of several hundred miles, and in some instances a thousand miles over an unsettled country, and it was difficult to have those supplies reach their several destinations at the exact date appointed for the payment of the Indians. It was necessary, in some cases, to obtain supplies from the Hudson Bay Company. The Indians had been told to return to their hunting grounds, and that when the hunting season was over they would receive their agricultural implements. They parted with this understanding, but some parties told them they were being wronged and induced them to return, which caused a great deal of trouble and expense.

Vote agreed to.

173. Ammunition, twine and rifles (Treaties Nos. 4, 6 and 7).....	\$7,000
174. Sioux at Qu'Appelle.....	1,000
175. Surveys for Indian reserves in the North-West.....	35,000
176. For general expenses of the North-West Superintendency..	18,500
177. Salaries of school teachers....	7,000

Miscellaneous Expenditure.

178. To aid Indians' schools in Ontario and Quebec where most required.....	5,000
179. To bring up annuities payable under the Robinson Treaty to the Chippewas of Lakes Huron and Superior, from 96c. to \$4 per head.....	14,000

XXIII. MISCELLANEOUS.

180. Canada Gazette.....	5,000
181. Miscellaneous printing.....	10,000

MR. CARTWRIGHT said he rather thought the chief expenses had occurred. He should say, speaking generally, that the expenditure on public works of late had doubled or trebled, and the necessity for elaborate reports on some of these had largely augmented the sums required for printing. The work of the Minister of the Interior had also increased very largely.

MR. BOWELL said he was under the impression that he had seen the hon. Finance Minister's Budget speech published in pamphlet form, and he was anxious to know what the speeches of the hon. gentleman annually cost the country. He thought the advisability or propriety of publishing, at the expense of the country, a party or a one-sided statement was open to objection. It was not a question whether the old Government pursued the course or not. If the party wished the speech to be printed and circulated, let them pay for it themselves; or, if the present practice was to be continued, then let the reply to the Budget speech be printed with it. Then the country would have an opportunity of forming a judgment upon the matter.

MR. DYMOND said he would like to know which speech gentlemen of the Opposition would wish to give: that of the hon. member for Cardwell (Mr. McCarthy), or that of the hon. member for Northumberland (Mr. Mitchell), or that of the hon. member for Niagara (Mr. Plumb), who, probably thought his speech the most important of the lot?

MR. McCALLUM said the reports of the Budget speech appeared in the newspapers and in the official *Hansard*. He did not think, therefore, there was

any necessity for the circulation of the speech in pamphlet form at the expense of the country.

MR. McCARTHY said that 12,000 of these pamphlets were published; and, if it was to be regarded as a public document, he should like to know how they were distributed.

SIR JOHN A. MACDONALD said that he was always under the impression that these pamphlets were always paid for out of the Ministers' own pockets, whether it was Sir John Rose or Sir A. T. Galt.

MR. MILLS: Never.

MR. MACKENZIE: I think even the reporting had to be paid for at that time.

MR. CARTWRIGHT said he had no sort of desire to have this done in opposition to the wish of a large number of the members of the House, but it appeared to him that there was a convenience in having a record in some less cumbrous form than the *Hansard*, and to have in a compact shape the several speeches of Finance Ministers for eight or nine years in a compact shape. It might not be advisable to print as many copies as had been done, but he had received many applications for copies this year.

Vote agreed to.

182. Unforeseen expenses: Expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament during the first 15 days of the next Session.....\$50,000

SIR JOHN A. MACDONALD said several of these items should have been charged to the different Departments. Every appropriation should be kept separate and for its own purpose, and this was a rule that should be strictly observed. Then, with regard to this Government map of Canada, the Government had no right to spend that \$500 without authority.

MR. MACKENZIE said this was a large map published in the Board of Trade return. It was an excellent pamphlet; and, as it was proposed to distribute a very large number, the Government offered to pay this sum

MR. McCALLUM.

towards the map. He did not think the outlay could well be objected to, although it might have been taken out of the vote for emigration. He thought the hon. gentleman (Sir John A. Macdonald) was quite right in enforcing the rule.

Vote agreed to.

183. Commutation in lieu of remission of duties on articles imported for the use of the army and navy.....	\$12,000
185. For the expenses of Government in the district of Keewatin.....	5,000
186. For construction of Barracks in the North-West Territories.....	15,000

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Thirty-five minutes past  
One o'clock.

## HOUSE OF COMMONS.

Wednesday, 24th April, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

CANADIAN PACIFIC RAILWAY—FORT WILLIAM EXTENSION.

QUESTION.

MR. McCALLUM enquired, Whether it is the intention of the Government to extend the Railway to the end of the Survey at Fort William towards the mouth of the Kaministiquia River; and if so, how soon?

MR. MACKENZIE: There is no such intention.

CANADIAN PACIFIC RAILWAY—BRITISH COLUMBIA TERMINUS.

QUESTION.

MR. McINNES enquired, Whether it is the intention of the Government to declare the route and terminus of the Canadian Pacific Railway in British Columbia, before the prorogation of



the House; and whether actual construction will be commenced during the coming summer?

**MR. MACKENZIE:** I have already stated that the Government hope to be able to state during the present Session what route they decide on adopting through Columbia. The route is already decided to the boundary of Columbia. As to the actual construction, the hon. gentleman will see, by referring to the Act, that no contract can be proceeded with unless Parliament has approved of it.

#### BRITISH COLUMBIA PENITENTIARY.

##### QUESTION.

**MR. McINNES** enquired, Whether it is the intention of the Government to have the New Westminster, B.C. Penitentiary occupied before the 1st of July next?

**MR. MACKENZIE:** It is the intention to occupy it as soon as it can be completely furnished. That is, if there are occupants.

#### FRASER RIVER SALMON HATCHERY.

##### QUESTION.

**MR. McINNES** enquired, Whether it is the intention of the Government to establish a salmon hatchery on the Fraser River, British Columbia, this year.

**SIR ALBERT J SMITH:** We have not determined to build a hatchery in British Columbia during the present year.

#### PEMBINA BRANCH RAILWAY CROSSINGS.

##### QUESTION.

**MR. SCHULTZ** enquired, Whether it is the intention of the Government to see that railway crossings are put in at once on the portion of the Pembina Branch, on which rails have been laid?

**MR. MACKENZIE:** It is part of the contract to do that, and I have no doubt it has been attended to.

#### CANADIAN PACIFIC RAILWAY—ROUTE FROM NEPIGON TO THUNDER BAY BRANCH.

##### MOTION FOR REPORT.

**MR. TUPPER** moved for a copy of the report of exploration made by Mr. Bell, C.E., on the proposed route of the Canada Pacific Railway, from Nepigon to the Junction with the Thunder Bay or Kaministiquia Branch of the said Railway. He said that his object was to get before the House all the information that had been obtained in reference to the Canadian Pacific Railway. The map placed in the hands of members by the hon. the Minister of Public Works, showed the placing of a line from Nepigon to the south of Dog Lake, connecting with the line now under construction, from Thunder Bay or Kaministiquia to Red River. He was informed that no survey or exploration had ever been made; that no line had ever been laid down by any engineer; but that Mr. Bell, who was charged with that exploration, did make a survey and set out an exploratory line south of Dog Lake, and that a map was furnished by him exhibiting the character of the survey and the information that was in connection with it. He (Mr. Tupper) would be extremely glad if the map and report were laid before the House, because whether it was concurred in or not by the Government, a very large amount of money had been expended in the surveys on the route of the Canadian Pacific Railway, and it was desirable that the House should be placed in possession of any information on the subject. He should be glad if the hon. the Minister of Public Works would furnish the House with the report and map before the question of the Pacific Railway came up for consideration.

**MR. MACKENZIE** said he did not think that there was any map. He had no recollection of seeing one. He thought that Mr. Bell had merely marked the course which he travelled over on an ordinary map. This was his recollection of the matter, though he was not positive. This particular point, as to the maps, had not occurred to him when he looked at the notice, or he would have looked into it. He

did not intend to say that this was not the case; but he would see about it, and inform the hon. gentleman at once of the facts. This could hardly be called a survey. Mr. Bell travelled over the country rather to find out whether there was a certainty, or a reasonable certainty, of obtaining a favourable line, and his recollection was, that Mr. Bell reported on this after having traversed this country, that a favourable line could be got, striking the main line, if his recollection was correct, about 25 miles from Thunder Bay. However, the map could be easily produced.

Motion agreed to.

#### LA BANQUE NATIONALE.

##### MOTION FOR CORRESPONDENCE.

MR. ROCHESTER moved for copies of all correspondence between the Government or the Minister of Justice, or the creditors of one Oliver Latour, or any of them, or any persons on their behalf, in relation to the alleged forfeiture of its charter by La Banque Nationale, by reason of its illegally trading in lumber, and in the manufacture and sale of square timber and saw logs, and the produce thereof, and in other goods, chattels and merchandize, in violation of the Banking Act, to the prejudice of other banking institutions, the lumber trade and the said creditors. Also, for copies of all contracts, depositions and statements and writings submitted to the Government, or the Minister of Justice, evidencing said (illegal) trading, and also copies of the opinion of the ex-Minister of Justice and the present Minister of Justice thereon, and of all Orders in Council having reference to said illegal act of said bank. And also for copies of the registered timber trade mark of the said bank, as registered in the office of the Minister of Agriculture, and of all papers and documents in said office relating thereto. And also copies of all the correspondence between the said bank, or any of its officers, and the Government, or any member thereof, with reference to said alleged violation and forfeiting of its charter by said bank.

MR. LAFLAMME said that the only paper which could be produced, and

that was in the Department, was an application on the part of counsel acting on behalf of certain parties for a writ of *scieri facias*, and the answer of the Department to this application. There was no other correspondence. No correspondence whatever, in this regard, had taken place with the late Minister of Justice. It had all occurred while he held this position.

MR. ROCHESTER said that he moved for these papers, in order to place before the House clear and indisputable evidence that La Banque Nationale had been and was trading as lumber merchants, in violation of its charter, contrary to public policy, and to the prejudice of the lumber trade. This was a Dominion Bank incorporated by Parliament, under the Dominion Banking Act which prohibited the bank from engaging directly or indirectly in any trade or business except the business of banking, and, as a member of this House, he charged La Banque Nationale with owing and working timber limits, making square timber and saw-logs, and manufacturing sawed lumber therefrom, and with selling the same in the public market. It had used a registered timber trade mark, and had been, and was actually, engaged in lumbering generally, and this had been the case for a long period. As public rights and interests were involved, and as this trading was against the public policy of the Dominion, in violation of the Banking Act, and to the prejudice of the lumber trade, he submitted that an enquiry was necessary; and if, on such enquiry being made, these facts could be established, as he asserted could be done, then he held that this bank had forfeited its charter, and that this House should so declare. He had in his possession papers which he thought would satisfy any reasonable man in this House that such was the case, and which he would read. These papers, he felt, would satisfy every member of the House, that the charge and statement which he had made, were fully borne out by the facts. The following document was a copy of one of the contracts of this bank with an individual who operated for it; this would show how

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brazely and deliberately this bank carried on this trade :—

“ This agreement, made the twenty-fifth day of September, in the year of our Lord one thousand eight hundred and seventy-six ;

“ Between Oliver Latour, of the City of Hull, in the County of Ottawa, and Province of Quebec, Lumber Merchant, of the first part; and

“ La Banque Nationale, one of the Chartered Banks of Canada, of the second part.

“ Whereas the said parties of the second part are the owners of certain timber limits situate on the Keepana River, numbered respectively one hundred and thirty-four, one hundred and thirty-five, and one hundred and thirty-six, of the years 1875 and 1876; and the said party of the first part has contracted to cut, make, manufacture and deliver to the said parties of the second part, certain quantities of square timber and saw-logs, to be taken off and from the said limits, at and for the price or sum, and subject to the conditions hereinafter mentioned.

“ Now, this indenture witnesseth that, in pursuance of the premises, and for the consideration hereinafter mentioned, he, the said party of the first part, doth hereby, for himself, his heirs, executors and administrators, covenant, promise and agree to and with the said parties of the second part their successors and assigns, in manner following, that is to say :—

“ That he, the said party of the first part, his executors and administrators, shall cut, make and manufacture three hundred thousand feet of square white pine timber, during the winter of the years 1876 and 1877, the said timber to be good and merchantable, and of a size not less than fourteen inches on each side, and to be well and securely rafted after the manner adopted by lumber merchants, and to be floated to the city of Quebec, and there delivered in good order and condition to the said parties of the second part, their successors or assigns, on or before the fifteenth day of August, in the year of Our Lord one thousand eight hundred and seventy-seven, at such place as the said parties of the second part, their successors or assigns, may require.

And, also, that he, the said party of the first part, his executors or administrators, shall cut, make and manufacture fifteen thousand standards of good and merchantable deal white pine saw-logs, of not less than the following dimensions, that is to say: said logs to be thirteen and one-half and sixteen and one-half feet in length, and not to be less than fifteen inches in diameter inside the bark, and to be delivered in good order, and in condition to be floated down to Ottawa with the boom timber necessary for that purpose in the Main Ottawa River, at the place where the general drive starts, on or before the first day of September, in the year of Our Lord one thousand eight hundred and seventy-seven.

“ And it is hereby agreed that, for the purposes of these presents, the standard log shall be thirteen feet in length, by twenty inches, inside the bark, in diameter.

“ And it is further agreed that the said party of the first part, his executors and administrators shall mark all the said square timber and saw-logs with the timber marker of the said parties of the second part as follows, O L or O L 1 up to O L 6, said timber and logs to be well marked, and in such manner that the said marks may not be effaced, obliterated or destroyed, while the said timber or saw logs shall be floated down to destination.

“ And that the said party of the first part, his executors or administrators, shall, at his and their own costs and charges, supply all materials, tools, implements, labour, wages, provisions, and all things necessary to manufacture the said square timber and saw-logs, and to draw and to drive the same, and to float the same, to the respective places where the said square timber and saw-logs are to be delivered according to the terms of this agreement.

“ And further, that the said party of the first part, his executors or administrators, shall well and truly pay, or cause to be paid, all Governments dues, tolls and tonnage upon the said timber and saw logs.

“ And further, that the said party of the first part his executors, or administrators, shall take and cut the said square timber and saw-logs off, and from the said timber limits of the said parties of the second part herein before described, and that the said timber and saw-logs shall, while in the process of manufacture, and at all times before as well as after delivery, be the absolute property of the said parties of the second part, and that it shall be lawful to the said parties of the second part, their successors and assigns, at any time to take possession of the said square timber and saw-logs, if they shall think proper.

“ And the said parties of the second part, covenant, promise and agree to and with the said party of the first part, his executors, administrators and assigns, to pay him the said party of the first part, for the making, manufacturing and delivery of the said square timber and saw-logs, the sum of fifty-four thousand five hundred dollars, payable as follows :—That is to say: six thousand dollars on his beginning the said work, and five thousand dollars during each of the months of October, November, December, January, February and March next ensuing the day of the date hereof, provided that work shall have been done at the time when any of the said amounts may be required by the said party of the first part to the value of the moneys previously advanced as shown by the certificate of an agent to be appointed by said parties of the second part, whose wages and expenses shall be paid by the said party of the first part, four thousand dollars during April, two thousand dollars during May, and two thousand dollars during June

following, and ten thousand five hundred dollars to be paid when the said square timber is boomed in Quebec, and said logs delivered according to the terms of this agreement.

"In witness whereof, the said parties hereto of the second part have hereunto affixed their corporate seal, and cause these presents to be signed by their President, and the said party of the first part hereunto set his hand and seal, the day and year first above written.

" (Signed) " O. LATOUR,  
" J. THIBODEAU.  
" Vice President, Banque Nationale.

" Signed sealed and delivered in presence of

(Signed) NOE CHEVRIER,  
F. VEZINA.

" (A true Copy.)

" J. L. CURRIER,  
" Dep. P. L. C."

Now, he would ask any member of the House if what was done under the contract with Oliver Latour was legitimate banking? The bank had traded in timber, which was marked in the usual way, from "O.L. 1" to "O.L. 6," and it seemed to him that by so doing its charter had been violated. Other banks were just as much interested in this matter as the commercial community, and they had remonstrated against what they considered to be a gross violation of the Act. It might be said if the bank had violated its charter, why not take proceedings in the Court to have that charter forfeited? In reply to that he would state that the question had been submitted to counsel both in Ontario and Quebec, and their opinion obtained. They held that the bank had forfeited its charter, but that the Provincial Courts had no jurisdiction; the only Court in Canada which could exercise such jurisdiction would be the Exchequer Court. For the maintenance of the old laws of the Crown in the interests of the Dominion, the Attorney-General was the proper party to take such proceedings; the Government which created that charter could alone institute proceedings to enforce its forfeitures. On these opinions being obtained, application was made to the Minister of Justice, as Attorney-General, for his *fiat*, and in addition to the opinions of counsel, which were sub-

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mitted, authorities in support of the application were furnished. It was urged that the complaint was made against a system prejudicial to legitimate banking and legitimate trade—particularly the lumber trade. That application was supported by the Ontario Bank, the Union Forwarding Company, himself (Mr. Rochester), and others. Yet the Minister of Justice did not see his way clear to grant the *fiat* asked for. He doubted the jurisdiction of the Exchequer Court, but admitted that legislation was necessary to afford a remedy for such abuses as were complained of. Such being the facts, he submitted that lacking any judicial remedy, the Legislature could alone do justice on the public interest and maintain its own laws. He thought, therefore, the House should institute an enquiry, and if the facts he submitted were substantiated, the charter of the bank should be declared forfeited. Unless something was done to prevent it, all the banks in the Dominion might adopt this system of trading, for they had all as much right to do so as the Banque Nationale. The Banque Nationale had not confined itself to one place of operation; it had bought up rafts of timber last year on the Black River, and afterwards sold the timber at Quebec. If that was not trading, he did not know what trading was. The law laid down what the rights and privileges of banks were, and if they were beyond the prescribed limit they were amenable to the law. If this bank was allowed to encroach on the lumber trade, then lumbermen's notes should be legalised so that they might be able to compete with the Banque Nationale. He thought the Minister of Justice ought to bring down the papers asked for together with the registered trade mark adopted by the bank. The matter was urgent and should not be allowed to lie over till next Session of Parliament. Perhaps the best plan would be to refer the matter to the Banking and Commerce Committee to whom all the evidence that had been collected might be submitted. The Ontario Bank was one of the complainants, and he thought no time should be lost in making an investigation.

MR. LAFLAMME said he had no objection to communicate all the information possessed. The parties complaining, he might state, could, if the Banque Nationale had violated its charter, go before any competent tribunal and demand such remedy as the law granted. There was, he believed, at the present time, a case in Chancery arising out of some points connected with this matter. If such was the case, it would be very improper, on the part of Parliament, to interfere or do anything which might prejudice the decision to be given by the Court, which was the only competent tribunal to determine whether the law had been violated, as alleged by the hon. member for Carleton. It was alleged, on the other hand, also, that there had been no violation; that Latour was an insolvent, who transferred all his assets to the bank, which was a creditor on the estate for \$75,000. In order to obtain judgment on its claim, the bank very naturally endeavoured to sell the timber referred to.

MR. ROCHESTER said the Minister of Justice seemed to point out that any stockholder in the bank, who thought it had violated its character could have a remedy by raising an action. It was not likely, however, that a stockholder in any corporation which yielded him 10 or 15 per cent., would raise an action as suggested. He understood there was no way whereby redress could be obtained except by coming to the House, because the Minister of Justice had flatly refused to grant his fiat to enable the complainant to go to the Exchequer Court. He knew, to his cost, that Latour was an insolvent, and that his assets had been seized by the bank, because \$10,000 worth of property belonging to him (Mr. Rochester) had been transferred with other effects. This was done a month after Latour was made an insolvent, and then he came forward and offered one cent on the dollar. Under these circumstances he thought the House should step in and check this violation of the law. He was aware that the contract was for 1876-7, but the same works were carried on in 1877-8; and not only so, but the Banque Nationale had taken

up the lumber trade on the Black River as well. Now, was this to be allowed? He wanted the hon. gentleman to give those who considered themselves aggrieved, the opportunity of showing that they had wrongs to be redressed, and if the hon. gentleman would bring down those papers, that was all they asked.

MR. PALMER said he considered this a matter of very great importance, and it surely could not be that the Minister of Justice had taken upon himself to lay down the law with regard to it. It was bad enough to have a contract with an insolvent man, but that a bank should be allowed to carry on for two or three years, issuing their notes all over the country, was one of the most alarming statements he had yet heard in Parliament. The law said banking companies should not be allowed to do certain acts which might make their currency valueless, and this company had been trading in lumber, which was clearly against the law. If the charter of the company had been violated, the charter should be withdrawn, and it was for the Attorney-General to take this or other means to prevent the carrying on of this illegal trading.

MR. BLAKE said that he saw nothing more dangerous to the interests of the public than that the remedy proposed for this case should be applied. There were, he believed, three or four remedies besides this extreme one, which was a proceeding that should not be resorted to except in the most extreme circumstances possible, after a long continuance of the violation of their charter in essential particulars, and when it was obvious that it was a less evil to abolish that charter altogether. This exercise of such a summary power had almost gone into disuetude. There was another remedy which the Attorney-General could exercise on behalf of the Crown, without the intervention of the subject: he could restrain the bank from continuing to violate its charter. A similar course might be taken, he believed, by the intervention of a stockholder; and he also believed there was a fourth remedy by which a stockholder inter-

ested in the bank could proceed without the Attorney-General at all. There were these milder remedies, which would prevent the existence of the evil while it preserved the existence of the bank, instead of the Crown exerting its prerogative, and blotting out this charter, and causing the Corporation to be wound up.

MR. ROCHESTER: Is it not the law of the land?

MR. BLAKE said the power was there, not by Statute, but by common law; but he said it was not for one Corporation to call for the extinction of a rival company. Before exercising such a prerogative, public interest must be considered; and, in his opinion, the public interest and the credit of the country would be injured by this summary proceeding.

MR. ROCHESTER: How long will you allow these proceedings to go on?

MR. PALMER: Why don't you stop them?

MR. BLAKE: I have nothing to do with stopping them.

MR. ROCHESTER: It has been going on for years.

MR. BLAKE: How long has the Crown known of it?

MR. ROCHESTER: Well, I am not prepared to say.

MR. BLAKE: Probably three or four months.

MR. ROCHESTER: I think longer.

MR. LAFLAMME: Certainly not, as far as my recollection goes it must have been in the month of November or September last.

MR. BLAKE said he did not know how long it had been going on, but he believed that the general interest required that the steps should be taken to prevent the continuance of the illegal trading, but not stop the banking corporation altogether.

MR. TASCHEREAU said there was a case now pending before the Chancery Court, and the case of *Simon v. Banque Nationale*, in which this was the disputed point, and he thought it out of place to discuss now the question whether the Minister of Justice

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was right or wrong in refusing to grant an order of *scieri facias*. When the papers came down they would justify the action of the Minister of Justice, and prove that he was right. The Banque Nationale was one of the best institutions in the country, and in its trading transactions had only acted in protection of its own interests. The bank had not been trading illegally, it had been only protecting its own interests in having transfers made to it and working the timber after it had been cut by the insolvent party himself.

SIR JOHN A. MACDONALD said it would be extremely unfortunate that any individual could, because a bank had wittingly or unwittingly acted beyond the scope of its charter, take successful steps to dissolve the Corporation, to destroy its stock, and throw it into confusion. But it was questionable whether the proper authority, the Attorney-General, could refuse a writ of *scieri facias* on application, however disastrous the consequences might be. This was a question which had arisen on the nonce, and on which, therefore, he was not, at the present moment, prepared to give an opinion. He would be very sorry to find that the law did not allow discretionary power to the Attorney-General in granting this writ, but they must look at the general policy of the Legislature with respect to banking institutions. There had been no point more strongly insisted upon since incorporation was granted to these institutions, than that they should not on any account be drawn from their legitimate business of banking and become trading corporations, even for the sake of securing themselves against probable loss. The temptation was very great, when they had given to the trader advances and found that by taking the business out of his hands they could secure their claim; but even that temptation must be resisted, because it struck at the very policy of the country, and the security of the public had in these institutions, by its being known that the whole policy of the country was against allowing them to become trading institutions under any circumstances. He did not know whether this bank had

really become liable to the charge made against it. The fact that there had been an action taken, ought not to interfere with the discussion of the general policy of Parliament with respect to banks. He would set aside the *scieri facias* altogether, as an extreme measure. The hon. member for South Bruce had said there were three remedies which might be resorted to without destroying the charter. Two of them were no remedies at all to the public generally. One of them was information fyled by a stockholder. No stockholder would take any steps for the purpose of destroying his own bank.

MR. BLAKE: It is a remedy to confine the Corporation to its legitimate business.

SIR JOHN A. MACDONALD said the hon. gentleman was right. However, the stockholders would be interested in not preventing such institutions from carrying on trading business, which had for its object the saving of the bank from loss. There then remained only the one course, suggested by the hon. member for South Bruce, namely, the information fyled by the Attorney-General, as Attorney-General in the public interest. That was a matter which must at once press upon the attention of the Government, and especially upon the Minister of Finance, who was responsible, as it were, for the whole of our monetary system. Last Fall the Minister of Justice was applied to for a writ of *scieri facias*, and for the reasons given by the ex-Minister of Justice, he (Sir John A. Macdonald) thought it would have been well had he paused before refusing to grant this specific application. He thought the necessity was then forced upon him to enquire whether any legal means were at hand to protect the public policy of the Legislature and of the country. Here was an allegation that, year after year, a banking institution had been a trading institution, so much so that it was alleged it had taken out and registered a trade mark. That had been stated to the Government, and yet no steps had been taken by the Government. They should have at once taken steps. If the country

had an established policy with respect to banking institutions, it was the business of the Government to carry out that policy, and to punish any infringement of it. He did not agree with the idea that every banking institution, or other corporation, necessarily forfeited its charter by committing an act beyond the powers of its charter; but when a strong specific charge of this nature was made, as long as six or eight months ago, it ought not to have been thrown back upon the parties applying for this remedy by *scieri facias*. Those parties should not have been told that no *scieri facias* would be granted, and, at same time, that no other remedy would be granted. He hoped the Government would look into this question.

MR. CARTWRIGHT said he was quite aware there was a great deal of force in the remarks of the right hon. member for Kingston, as to the extreme impolicy of allowing corporations to carry on business outside their charter. It was distinctly prohibited by law and was contrary to the general policy relating to banks. The facts mentioned by the hon. member for Carleton (Mr. Rochester), had only then came to his notice. He would take an early opportunity of conferring with the hon. the Minister of Justice with a view to decide what course to adopt. It was quite true that in times gone by, a good deal of this kind of thing had prevailed, and he was not aware that any action had ever been taken. With reference to the remedies suggested by the hon. member for South Bruce, although it was technically true that persons having a large interest in a bank would not likely attempt to restrain it, still any person who chose to possess himself of a single share would have an absolute, indefeasible right, under the existing law, to apply to a court of jurisdiction to obtain an injunction to restrain the bank. He was not disposed to contravene the position taken by the right hon. member for Kingston, that when facts of this kind were brought to the knowledge of the Government, it might, and probably would, become expedient for the Government to take action in some way or other.

MR. PALMER said the last statement of law was inaccurate. An injunction was a discretionary power, and the moment it was proved the share had been purchased for the purpose of obtaining an injunction, it would be refused.

MR. ROCHESTER said he was glad the hon. the Minister of Finance had promised to look into the matter. He would only make one more remark with regard to this suit in Chancery. He wanted to tell the House distinctly that the parties who had to do with this, had nothing whatever to do with a suit in chancery. If there was such a thing, it was simply a bogus affair entered by the assignee put in possession of the property by La Banque Nationale.

*Motion agreed to.*

#### MAILS ON THE LONDON, HURON AND BRUCE RAILWAY.

##### MOTION FOR CORRESPONDENCE.

MR. GREENWAY moved for copies of all correspondence or petitions with reference to transferring the mails on the London, Huron and Bruce Railway. He said he wished to draw the attention of the hon. the Postmaster-General to the deficient mail accommodation in his section of the country. The London, Huron and Bruce Railway had been opened in 1876, yet, up to the present, no mails had been carried over that line, but the old-fashioned stage-coach had been continued. From one of the stations, Exeter, which had a population of 2,000, it took three days to receive an answer to a letter. The mail left London in the morning at eight o'clock, and reached Exeter, 30 miles distant, at six o'clock the same day. He hoped this state of things would not be allowed to exist any longer. About a year ago the Great Western Railway Company, which had taken charge of this line as part of its system, had put on a mail train, expecting, he presumed, that the mails would soon pass over this line; but it appeared that, having been disappointed, the company now proposed to remove this train. He had in his hand letters which had been recently sent him, one

MR. CARTWRIGHT.

from Exeter, signed by 90 business men of that place, and a second from another point, signed by the same number of persons, urging the necessity of at once securing the mail subsidy, in order that this train, which was of such great importance to the community, might not be removed. He thought that this matter only needed mentioning to show that this state of things ought not to be allowed to continue any longer, and the hon. the Postmaster-General should at once take this matter into consideration and have it remedied.

MR. HUNTINGTON said that this matter had been considered in the Department for some time past, but it involved an expenditure of money which it was not convenient to make last year. He hoped that Parliament would so far approve of the estimates to be submitted as to enable him shortly to tell the hon. gentleman his intention in this respect. At present he must content himself with expressing a hope that at the beginning of the next fiscal year, this service, which was undoubtedly necessary for the public convenience, would be commenced. He also trusted that the hon. gentleman, with this assurance, would not press to have the papers brought down, as he dared say that the hon. gentleman would see that this was not necessary under the circumstances.

MR. GREENWAY said he had hoped that the hon. gentleman could have seen his way clear to remedy this difficulty sooner, but having this assurance, he did not desire to press for the papers.

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

#### PERMANENT AND EXTRA CLERKS AND MESSENGERS.

##### MOTION FOR STATEMENT.

MR. PALMER, for MR. KIRKPATRICK, moved for an order of House, that the Clerk do lay on the table a statement shewing the ages, names, present salaries and length of service of each officer and permanent clerk in his Department; also, the ages, names and salaries or daily pay, with



date of employment and date when pay commenced, of the sessional or extra clerks at present employed in the service of the House; also, a statement by the Sergeant-at-Arms shewing the ages, names, salaries or daily pay and length of service of messengers and others in his Department, whether employed permanently or otherwise.

*Motion agreed to.*

#### WELLAND CANAL IMPROVEMENTS.

##### MOTION FOR RETURN.

MR. JONES (South Leeds) moved for a Return of all railway plant, machinery, tools, implements and merchandize imported in bond for use by contractors, or others, on the Welland Canal improvements at the ports of Port Colborne, Clifton, and St. Catharines, from 1st July, 1874, to 1st January, 1878. He said he had good authority for stating that a large quantity of material, labouring plant, and a large number of steam excavators, steam pumps, horses, carts and implements of all descriptions had been brought in on the Niagara frontier for the use of contractors on the Welland Canal, on which very little duty, if any, was paid, owing to their being brought in, in hand, or allowed to come in on sufferance, owing to the laxity of the Customs officials on that frontier. The contractors on this work were principally Americans, and they liked to use their own plant, machinery and tools. The distance to the frontier was only some 10 or 12 miles; the cars were constantly passing to and fro; and they very easily got in this plant, on which very little duty, if any, was paid. This entailed very great loss, if it were true, not only on the customs revenue, but also on the manufacturers and people of this country. He knew very well that when Canadians were fortunate enough to secure contracts in the United States, they had to pay duty to the last farthing on their labouring plant horses, carts and steam pumps, etc., which they took over; and he considered that when American contractors secured any work in this country, they should be treated in the same manner. He made this motion in order to direct

the attention of the Customs Department to this matter. This system prevailed not only in this portion but also in other portions of the frontier of the Dominion.

MR. BURPEE (St. John), said that, so far as he was aware, the hon. gentleman was misinformed. The system which the hon. gentleman mentioned had not been allowed to exist during the last two or three years, during which period they had collected, if he was correctly informed, duty on all this material that was brought into this country. They had collected something like \$18,000 in duty on plant and material that came in at these points. He might say that two or three years ago, the system referred to was permitted, and contractors were allowed to bring in their plant and horses, carts and tools of various kinds in bond, and to use them until exported when the law was cancelled. Of course, there was a large amount of this material not yet exported which was imported during 1872 and 1873, but which was said to be exported; and they were trying to find out the exact facts of the case. During the past three years this practice had been entirely stopped, and so far as they knew, there was no material now coming in, no matter whether for a week or a day, on which duty was not paid; and this rule had been enforced not only at Clifton and Port Colborne, but also at every other point in the Dominion. The duty on all goods brought in by contractors was collected to the utmost extent, and a valuation was taken. The returns would show the exact state of affairs.

MR. NORRIS said he thought that the return should go back to, and include 1870, in order to enable a fair comparison to be made.

MR. JONES: I merely wish to draw the attention of the Department to this matter.

MR. BURPEE: Will the hon. gentleman allow the motion to be amended to go back to 1870?

MR. JONES: Certainly.

MR. CURRIER said he would like to know whether a valuation was put

upon the plant which the hon. gentleman said was imported prior to three years ago, and whether this material was valued when exported. If this was done, duty should, in fairness, be paid on the difference between these valuations.

MR. BURPEE said that the valuation was made on entry in warehouse, or in bond, and this would be given in the return. but he did not know whether a valuation was made when the material was sent out of the country. He would ascertain this, if possible.

MR. PLUMB said that the return would be valueless if the old material, when taken back, was not valued. There then was no use in the valuation at all. He would like to know whether duty was paid on tugs brought over, and whether any restrictions made by which the first preference was given to Canadian tugs.

MR. BURPEE said he doubted whether the valuation at the time of export could be obtained, but, if it were possible, he would secure it. They collected duty on the bags brought into this country, and a valuation was made for the time they were used here, whether for one or two years, or any other period.

MR. PLUMB said that the greatest amount of this work had been done in the time of the hon. the Minister of Customs. Work on the Welland Canal was begun, he believed, in 1871, and what formed the basis of this complaint or resolution arose, perhaps, very much in this connection. He could not see that anything which had been previously done had any sort of application or reference to the matter in hand.

MR. BUNSTER said that this question involved a very serious consideration. When British Columbia entered the Dominion, it was stipulated that the Canadian Pacific Railway should be built, and this question had precedence. It appeared that Dominion funds were being used to deepen and widen the canals of Ontario and this part of the Dominion, while the Canadian Pacific Railway was totally neglected.

MR. CURRIER.

MR. SPEAKER: I cannot see the relevancy of the hon. gentleman's remarks.

MR. BUNSTER: I bow to the decision of the Chair.

MR. MACKAY (Cape Breton): I thought British Columbia was always in order.

MR. BUNSTER said that British Columbia was a great deal finer country than Ontario and Quebec put together, and, even if Cape Breton was included, British Columbia could discount it. British Columbia had a right to feel aggrieved at the conduct of the Dominion. When the country was mortgaged to build canals, contrary to the contract, the people had a right to feel aggrieved. He thought the Welland Canal should be left in abeyance till the Pacific Railroad was built.

*Motion agreed to.*

#### BRIDGE ON THE RIVER CHAUDIERE.

##### MOTION FOR CORRESPONDENCE.

MR. FRÉCHETTE moved for copies of all correspondence in relation to the construction of a bridge on the River Chaudiere in the county of Lévis.

*Motion agreed to.*

#### FOREIGN TRAWLS OFF THE COAST OF NOVA SCOTIA.

##### MOTION FOR CORRESPONDENCE.

MR. MACKAY (Cape Breton) moved for correspondence and petitions in the hands of the Government respecting the use of trawls by foreigners off the coasts of Nova Scotia. He said he believed the House would concede that this was a matter of importance. It was alleged, and he thought with correctness, that the use of trawls on our seacoasts had a damaging effect upon our fisheries. When the House considered that our fisheries formed one of our most important industries, and that from this source were produced last year \$11,147,558—considerably over one-half of which came from the fisheries of Nova Scotia—it would be seen that the protection of the fisheries was a matter of very great importance. Under the Washington

Treaty, he believed that American fishermen had the same rights as our own, and any rules which might be made by the Fishery Department must apply to them also. The use of trawls was very much condemned by practical men, and from petitions now in the hands of the Department of Marine and Fisheries, it would be seen that in many places the quantity of fish had been diminished by one-half, from this cause alone. This was a matter which seriously affected our fisheries—a field from which we reaped where we had not sown. Trawling, he might say was a mode of catching fish which was practised to a considerable extent. A line was sunk to the bottom of the sea and attached to it were a number of short baited lines. Fish, therefore, which came to our coasts in search of food or for the purpose of spawning were caught in this way, a mode which was objectionable in this respect, that the mother or seed fish, which generally kept some distance from the surface were destroyed before spawning. There trawls, too, when set near the shore, prevented fish to a very great extent from coming into our bays; and sometimes, when, for some reason the lines could not be got at for several days, the fish previously caught became decayed and drove away other fish seeking the coast. It was true, that any immediate interference with our own fishermen as well as Americans in this respect, might be rather a serious matter for a time, but when fishermen themselves were actually clamouring for some protection, he thought the Department of Marine and Fisheries ought to give its attention to the matter. He would suggest that there should be a close season during the months of May, June and July, when no trawling should be allowed on our coasts. Of course, we have no power to prevent trawling outside the three miles limit, and our fishermen would be much more advantageously situated than the American fishermen who had to come long distances from home. Whilst on this subject, he might state that in the county of Victoria, as he had been informed, farmers and others were in the habit of killing salmon in the Fall of the year. Indeed, he was credibly informed that it was no uncommon oc-

currence for a single individual to kill as many as 58 salmon in one day. Now, if this went on for some years our magnificent fisheries would come to be in the same state as those of the United States waters.

MR. KILLAM said he desired to remark that the question of trawls was not a new one. He believed that, since the human race began to catch fish, there had been a difference of opinion between those engaged in the business as to the propriety of adopting particular modes of fishing. He should like to know, from the hon. member from Cape Breton, some clear explanation as to the kind of fish caught by trawls, and the season of the year at which this was done, because, if a close season was adopted, it would be necessary for the House to obtain this information. He might say that nearly one-half of the fish taken in Nova Scotia were caught by trawls, and it would be a serious matter if that important fishery was injured. The practice of trawling for fish within and without the three miles limit, had been carried on for many years with great advantage. To do away with the practice would, he thought, reduce the number of fish caught by 25 per cent. Fishing by means of trawls had been carried on for years in the North Sea, near the coasts of Great Britain, for many years, and the number of fish there was as great, seemingly, as when the earlier descendants of Adam first fished in those waters. He admitted that the indiscriminate use of trawls in estuaries might be prejudicial at a certain season, but, on the whole, he thought the complaints urged regarding trawling were more imaginary than real.

MR. DAVIES said Professor Baird, the great American authority on matters connected with fishing, had expressed the opinion that the use of trawls was not very destructive of fish, for this reason, that fish coming into shallow waters to spawn were generally in a sickly condition, and did not readily take the hook. Now, with regard to the Gulf fisheries, he was aware that a general feeling prevailed among fishermen that the trawl-fishing was destructive to the

mother fish. Professor Baird spoke very strongly with regard to these pounds, which projected out so freely along the shores. He said this system had destroyed the fisheries of the United States, and would destroy our fisheries. No regulation regarding trawls would be of much service, because three miles from our shores the Americans and other foreigners would still be at liberty to fish.

MR. MACKAY (Cape Breton) said the position he took was this: that, during the months of May, June and July a close season should be established, so that these said fish—and he spoke particularly in reference to cod-fish—should be enabled to spawn. If the hon. member for Yarmouth would glance at the large number of petitions from the Province of Nova Scotia upon this matter, he would see that the average catch of fish there had been reduced to one-half, and the fishermen ascribed this to the use of trawls along the coasts.

SIR ALBERT J. SMITH said there was certainly a great difference of opinion as to the effect of trawls. Professor Baird, for instance, thought trawl-fishing did no injury whatever; on the western part of Nova Scotia the fishermen themselves thought it was no harm; but, on the eastern coast, they thought it was destructive. It would be useless to stop trawl fishing, or to adopt a close season, when they would be inoperative beyond the three-mile limit. He had copies of the correspondence on the subject, and would lay it on the table.

MR. MITCHELL said he agreed with the hon. the Minister of Fisheries, and believed that five-sixths of the fish taken was beyond the three-mile limit, and, consequently, beyond their jurisdiction.

*Motion agreed to.*

#### COW BAY BREAKWATER.

##### MOTION FOR RETURN.

MR. McDONALD (Cape Breton) moved for a copy of return of expenditure, in detail, of money expended on the breakwater at Cow Bay for the year 1877; giving the names of all

MR. DAVIES.

persons who performed any work on that breakwater, stating the amount of wages paid each person per day; also the quantity of timber purchased, and the price paid for it, and to whom; also salary, commission, or wages of Superintendent of Work, and vouchers for payment.

*Motion agreed to.*

#### VALUATORS EMPLOYED ON INTER-COLONIAL RAILWAY.

##### MOTION FOR STATEMENT.

MR. LANGEVIN, for MR. ROY, moved for a statement shewing the names of the valutors employed on the line of the Intercolonial Railway, in the counties of Temiscouata and Rimouski, for the purchase of lands, the amount of damages assessed; the period of time during which such valutors were employed and the salary paid to each of them in the several cases.

*Motion agreed to.*

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

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#### After Recess.

#### STAMPS ON PROMISSORY NOTES BILL.—

[BILL No. 4.]

(*Mr. Irving.*)

##### THIRD READING.

House again *resolved* itself into Committee of the Whole on the said Bill.

(In the Committee.)

MR. BLAIN asked, how it was that a Bill of this kind, which affected the revenue of the country, was in the hands of a private member. It seemed to him that it was in violation of the 54th clause of the British North America Act, and of the Rules of the House.

MR. GUTHRIE said that it had been explained by the hon. member for Hamilton (*Mr. Irving*), who had introduced the Bill, that certain anomalies had been found in practice in regard to the Stamp Act, and this Bill was introduced for the purpose of removing certain doubts. He (*Mr.*

(Guthrie) thought that any private member might properly introduce a Bill to amend the law, and though it might possibly affect the revenue, the general effect of the Bill was to improve the law relating to stamps on bills and notes.

MR. BLAIN said he thought the well understood practice of the House was that Bills affecting the revenue should first receive the sanction of the Government. He believed there had been cases where the rule had been relaxed, but it seemed to him that this was a case where the rule should be insisted upon.

MR. MACDOUGALL (East Elgin) said the Bill had been carefully considered, and he saw no objection to its passing, although it would, perhaps, be better to abolish the tax altogether.

MR. PALMER said this Bill came in under the 54th section of the British North America Act, and, therefore, the condition of that section, not having been complied with, the Bill was out of order.

MR. GUTHRIE said the 54th section provided that it shall not be lawful for the House of Commons to pass any vote, resolution, address or Bill, for the appropriation of any part of the public revenue or of any tax or impost to any purpose without having been first recommended to that House by message of the Governor-General. This was not an appropriation of money to any particular purpose. It rather came under the 53rd section which provided that bills for appropriating any part of the public revenue or for imposing any tax or impost shall originate in the House of Commons.

MR. TUPPER said that one of the clauses, the 3rd, distinctly imposed a tax that did not now exist. On the 427th page of May, it was stated that precisely the same principle which applied to the appropriating of money applied to the imposition of a tax, May said :—

“The Houses are as stanch in proceedings for levying a tax as they are in granting money, and it is the practice, without any

exception, for all Bills that distinctly impose such a charge on the people to originate in the Committee of the Whole House.”

He took it that the objection taken by the hon. member for West York, was entirely fatal to proceeding with this Bill, which should have originated by resolution in Committee of the Whole House. This Stamp Act had occasioned a great deal of difficulty in the country; and if there was any class of legislation that the Government ought to take charge of, it was that which relates to the stamp duties. If the Bill was to be proceeded with, it should be taken up by the Government, and these different measures and amendments should be amalgamated in a plain and intelligible Bill that would be comprehended by the general public.

MR. MACKAY (Cape Breton) said that this question should only be brought up while the Speaker was in the Chair. The Bill was before the Committee and should be disposed of. Besides, a question like this should have been raised before the second reading. In support of this position he would draw attention to May, page 454, where it was laid down, that in preparing Bills, care should be taken that they did not contain provisions not authorized by orders of leave; that the titles correspond with the orders of leave, and that they were prepared in proper form. If it should appear during the progress of a Bill that these rules had not been observed, the House would order it to be withdrawn. Such objections, however, should be taken before the second reading. It had not been the practice to order Bills to be withdrawn after they had been committed, on account of any irregularity which could not be cured, while the Bill was in Committee, or on recommittal. He would further remark that the hon. member for Hamilton (Mr. Irving) had introduced a precisely similar Bill last Session. The hon. gentleman had certainly precedent and authority for his proceeding. He took it that it was not necessary for an Act referring to bills of exchange to originate in Committee of the Whole House.

MR. MACDOUGALL (East Elgin) said he failed to see that anything in

this Bill effected the revenue. There was not the slightest intention to appropriate any tax by means of this Bill. He did not think that if it was desirable to adopt this measure on its merits, it should be thrown out on the objection taken by the hon. member for West York.

SIR JOHN A. MACDONALD said that this discussion was altogether out of order. The Committee had simply to settle the clauses of the Bill. The House only could deal with the point raised.

MR. PALMER said that he disagreed with the right hon. gentleman. It was hardly worth while to consume two or three hours in discussing this Bill, if it was perfectly clear that it would have to be thrown out. He would refer hon. gentlemen to the 86th and 88th Rules of the House in support of his position that this measure could not go any further. He would ask the hon. member for Chateaugay whether any private member could bring in a Bill to tax the people of this country?

MR. HOLTON said that he had not heard the discussion, and he was not prepared to say whether this point of order was well taken or not. He entirely agreed with the right hon. member for Kingston that this discussion in Committee was irregular and quite out of place.

MR. MACKAY (Cape Breton) said, for a precedent as to the introduction of a measure of this sort by a private member, he would refer hon. gentlemen to *Hansard* of last year.

MR. MCCARTHY: I rise to a point of order.

MR. CHAIRMAN: I think that the only question under discussion is the preamble of the Bill, the clauses were all passed the other night.

SIR JOHN A. MACDONALD: The clauses were adopted and the preamble held over.

MR. CARTWRIGHT: Clause No. 2 certainly stood over, because a point was raised as to whether there was not a danger to the revenue in the event of its being passed, and I agreed to take it into consideration.

MR. MACDOUGALL.

MR. McDOUGALL (South Renfrew) said when the Bill was previously before the House, he raised the objection that if the 2nd clause was passed parties residing in Canada might, through their agents, date drafts from the United States for the purpose of evading payment of stamps. He thought this second clause should be held over till another Session.

MR. GUTHRIE said that, as having charge of the Bill in the absence of the promoter, he could not allow it to be held over on such an objection.

MR. McDOUGALL (Renfrew) suggested that these words should be inserted, "And not discounted or transferred in Canada."

MR. BLAIN said it seemed to him the House was proceeding contrary to the 56th clause of the British North America Act.

MR. MACKAY (Cape Breton): I rise to a point of order. It seems to me that point has already been decided.

THE CHAIRMAN: I decided that the only question before the House was the preamble. At the same time any hon. member can move that a clause be re-opened for discussion.

MR. McDOUGALL (Renfrew): I move that the 2nd clause be considered by the Committee.

Motion agreed to.

MR. CARTWRIGHT said that to prevent loss to the revenue these words had better be added: "Unless the same be negotiated in Canada." This would prevent any attempt to defraud the revenue.

SIR JOHN A. MACDONALD said if it was shown that by having negotiable securities dated and made payable in a foreign country, there was a fraudulent evasion of the law, the validity of these documents would be destroyed. But if a bill or promissory note was drawn in England, France or the United States, by parties there, and made payable in these countries, its validity was recognized by the comity of nations.

MR. MACKENZIE said the question as to the right of the question and the policy were two different things. Of course, it would never do to impose

the tax of a new stamp every time a note changed hands. On the other hand, a note made abroad and brought here for the purpose of negotiation might be stamped.

MR. McCARTHY said the hon. gentleman must know that a promissory note was of no value unless properly stamped; therefore, this would protect any robbery of the revenue in that respect.

MR. MACDOUGALL (South Renfrew) moved that the second clause be struck out.

*Motion agreed to.*

MR. MITCHELL thought it would be better to strike out the whole Bill, and bring in a comprehensive measure that would incorporate the other Stamp Acts now in operation.

MR. PLUMB suggested that it would be better to have the Bill withdrawn.

Bill, as amended, *ordered* to be reported.

*House resumed.*

*Bill reported.*

*Amendment read the first time.*

MR. GUTHRIE moved the second reading of the amendments.

MR. KILLAM objected to two stages being taken.

MR. SPEAKER: The rule prohibits Bills being read more than once on one day, except in case of urgency, but it does not prevent taking two stages.

MR. BLAIN rose to a point of order. It was not competent for the House to proceed further with this Bill. He called attention to the 54th section of the British North America Act, and to the 86th Rule of this House, and contended that, under the first section of this Bill, it was clear that such an impost was to be imposed as would bring the measure within the rules of the House and the section of the Act to which he had referred.

MR. GUTHRIE said the Bill imposed no new tax. The tax was imposed by the Stamp Act. The first section merely described what should be a sufficient standing to comply with the present law.

SIR JOHN A. MACDONALD said he did not think the first clause was open to the objection taken. It in no way imposed any additional burden, but the 3rd section did.

MR. PALMER contended that no private member could introduce a Bill affecting the revenue. Besides, this was an interference with the trade of the country, as it allowed people to make good paper which would now be invalid.

MR. MACKAY (Cape Breton) said the objection came too late, and was, therefore, out of order. According to May, all such objections should come before the second reading.

MR. SPEAKER: The whole question occurs to me at the present moment in this light. In the first place, I may say that the 54th Clause of the British North America, 1867, has no bearing whatever, in my opinion, on the case. It relates merely to appropriations. Hon. members in reading it over rather cursorily are led into a mistake, owing to its peculiar reading which is as follows:—"It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, Address or Bill for the appropriation of any part of the Public Revenue, or of any tax or impost, to any purpose that has not been first recommended to that House by Message of the Governor-General in the Session in which each Vote, Resolution, Address or Bill is proposed." This clause does not bear on the question of the imposition of taxes at all, it merely relates to appropriations. The general law of Parliament, however, is very clear—that whenever it is proposed to impose a new tax, this should only be done by the Government. But we have, ourselves, here a Rule relating to the mode in which Bills of this kind shall be introduced. The 88th Rule is as follows:—"If any motion be made in the House for any public aid or charge upon the people, the consideration and debate thereof may not be presently entered upon, but shall be adjourned till such further day as the House shall think fit to appoint; and then it shall be referred to a Committee of the Whole House, before any Resolution or Vote of the

House do pass thereupon." Under this Rule it is clearly necessary that any measure purporting to impose a duty on the people, should be introduced in the first place by Resolution of the Committee of the Whole House. On that point there can be no doubt whatever. Now the only question that arises is whether this Bill, if passed, would or would not impose an additional tax on the people. This question was raised soon after the Bill was introduced, possibly on the second reading, and then the hon. mover stated distinctly to the House that it would not impose any additional burden, that it required no additional stamps to be attached to any instrument whatever, and that he introduced it merely for the purpose of removing doubts which had arisen in some of the Courts as to the value to be attached to the re-stamping of foreign bills of Exchange accepted in this country. He stated—and nobody seemed to contradict him, and none of the lawyers in the House did so—that it had been the practice, and this was again stated this evening, that where parties in this country received foreign bills of exchange which had not the required stamps in the first instance, to put on double stamps; that suits had arisen on notes and bills so stamped and that some doubt existed in the Courts as to whether this putting on of the double stamp did or did not give validity to the note. If that were so, this would be merely an explanatory Act, which did not create any new burden, but simply defined what the law was. It occurred to him that the matter stands in this way; if this Bill now before the House provided that certain stamps should be attached to foreign bills of exchange in certain cases, that in other cases double stamps might be affixed, and that unless in the first instance a proper stamp were affixed, or unless in the other case double stamps were affixed, the note would be valueless, then he thought that it would impose a tax on the people; but as it stands at present, the penalty was clearly inoperative. If a foreign bill of exchange comes into the hand of an innocent holder not stamped at all or insufficiently stamped, it is valueless, absolutely valueless, and if the

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doubts that are entertained are well founded as to the right to put double stamps on, then he cannot possibly render that valuable, and it cannot certainly, to that individual, be a tax or burden, that he may make that which the law declares otherwise worthless, to have a fair value by a certain operation. The question was one rather for a Law Court than for a Speaker of the House of Commons to determine. It was very much to be regretted that this Bill was not, in the first instance, introduced by Resolution, and if he had then been consulted on the subject, he would have advised it; but as the matter now stands, he could not perceive that if the Bill passed it would impose any burden on anybody. The only persons who would pay the duty were the persons relieved by affixing the stamps to the bill, and who would thus be enabled to collect the face value of the instrument.

*Amendment read the second time and agreed to.*

*Bill read the third time and passed.*

#### LAW OF EVIDENCE AMENDMENT BILL.

[BILL No. 40.]

(*Mr. Kirkpatrick*)

#### THIRD READING.

*Bill considered in Committee, reported, read the third time, and passed.*

#### BUILDING SOCIETIES LAW AMENDMENT BILL.—[BILL No. 55.]

(*Mr. Gibbs, South Ontario*)

#### SECOND READING.

*Bill read the second time.*

#### LOAN OF 1876.

#### ADJOURNED DEBATE.

Order for resuming consideration of the proposed motion of Mr. McCarthy, for an Order of the House for statement respecting the loan of 1876, *read.*

MR. CARTWRIGHT: I do not propose to detain the House further with the discussion of this point. I will simply say that I have no objection to the 1st, 4th, 5th, and 6th items of this loan; the 2nd and 3rd I cannot agree to, for the simple reason, in the first



place, that I have not got the information required; and I doubt, indeed, whether it continues in existence at this House. The House is aware that such information was not granted in the case of previous loans.

MR. PLUMB said that after the able remarks of the hon. member for Cumberland, he would not have addressed the House had it not been for the remarks of the Finance Minister. The principal points in the discussion were, the manner in which the loan was floated, and the scale of interest that it had been alleged had been saved. The very action of the Government in requiring that all contracts should be made by tender was an argument that the loan should have been floated by tender. It was the contention of the Opposition that had the loan been made at the proper time and in the open market it would have been more favourable for Canada. The hon. member for Cumberland had already shown that the price of the Australian loan was higher than the ruling quotation for small amounts upon the open market. This great Dominion, he held, ought to have a high character and credit in the markets of the world. That credit might have been injured by the financial statements of the Finance Minister at a time when, if ever, the silver side of the shield should be shown. A great many of the difficulties of Canada in respect to the negotiations of public securities were no doubt owing to the Finance Minister's injudicious statements in his initial Budget Speech, and it was no wonder capitalists should have been alarmed by them. The loan of 1876 was negotiated under peculiarly favourable circumstances, so far as the English market was concerned, for railway securities had grown into disfavour, and a large amount of money was lying idle in the coffers at London. There was a great plethora of money in the financial centres, there was a distrust of foreign loans and securities, a low rate of interest was ruling, and capitalists were anxious to get safe investments. The Finance Minister had said that the peculiar juncture at which this loan was put on the market was the only time at which a loan

could have been effected. There were certainly complications in Europe, but to-day, notwithstanding the rumours that led to the supposition that a war was inevitable, there was no great decline in the public securities. The loan should have been effected by tender and the credit of Canada tested. Had that been done the bonds would have been more scattered among the people, they would be subject to less fluctuations, and there would be less danger of any great fluctuations bringing down the prices. As it was, they had been put into the hands of those who were at once affected by any fluctuation in the market, and that being the case, if a fluctuation occurred, it would be most damaging to the credit of Canada. The Finance Minister had stated that it was impossible for those who took the loan to make anything but a small profit. He (Mr. Plumb) held that they could make a large profit. The loan netted 89, and the price quoted to-day, including accrued interest, was about 92. If any one having sufficient credit had taken a large sum at the price at which the loan was floated, he would have made not only the difference between the price at which he took the loan, and the price which it bears now, but there would have been a profit out of the interest of at least two or two and a half per cent. by holding the bonds for a year or eighteen months. He could have borrowed at the current rate of interest, and could have received four per cent. on his money by taking up portions of the Finance Minister's bonds, which would have left him a margin of two or two and a half per cent. He had not proposed to criticize the loan severely, but considering the statements of the Finance Minister there was no wonder if the credit of the country was low. In connection with the general negotiation of the loan, very misleading statements had been made. It had been stated, among other things, that a very material saving had been effected by the four per cent. loans. It had been calculated that the four per cent. loans were made at par, but it must be remembered that for every \$10,000, \$8,900 were received into the Public Treasury. Secondly, it was to be remembered that any state-

ment which represented the four per cent. was entirely misleading, for the truth was that the loan cost really  $1\frac{3}{4}$  per cent., as he (Mr. Plumb) had shown before. Instead of calculating, therefore, at four per cent., the calculation must be made at  $4\frac{3}{4}$ . The Finance Minister, during his summer campaign, made the statement that the rate of interest had been considerably lowered by him, and that where for every \$100 we borrowed we paid \$5.87 some years ago, we were only paying \$4.64 now, or, in other words, the rate of interest had been reduced by nearly 12 per cent. Now the Public Accounts were made to show that the average rate of interest was \$4.86, but that was wrong, as the following calculation would show:—In 1873 the debt bearing six per cent. was \$46,445,571, in 1877 the debt bearing six per cent. was \$56,436,146, showing a decrease of \$10,009,225. The debt bearing interest at 4 per cent. in 1873 was \$12,182,426; that bearing the same rate of interest in 1877 was \$66,048,861, showing an increase since 1873 of \$53,866,435. Of this four cent debt about \$19,060,000 would appear to be composed of the Imperial guaranteed loan. The balance consisted of a loan of 1874, \$19,466,666, and several minor items amounting to \$1,306,435. All these loans were made at a discount of 9 to 10 per cent., including commissions. In 1874, the following sums appeared against the loan in the Public Accounts, \$2,212,796; in 1876, \$304,508; in 1877, \$1,168,803, making a total of \$3,686,107, or a little over ten per cent. on \$36,500,000. Therefore, on a comparison of the rate of interest payable on the debt of 1873, as against that of 1877, the debt \$133,208,699 must be reduced by the \$3,686,107, which made \$129,522,592. And to the interest actually paid, \$6,483,727, must be added two per cent., the difference between six and four per cent. on the sum of \$1,009,225 transferred from the six per cent. loan, \$200,185. That gave the whole interest payable on the debt as \$6,683,912. That was 5.16 per cent. on \$129,522,592, instead of 4.86 as shown in the Public Accounts, or 0.04 per cent. more than the rate of interest in 1873, when it was 5.12. Under any circumstances, there could be no doubt that the statement as to

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the reduction by the Finance Minister was perfectly untenable. The comparisons by the Finance Minister of these loans with those of foreign countries were also unjust, because of the fact of our connection with the Mother Country. He deplored the fact that the Finance Minister had no proposition to make to meet the deficits that were constantly occurring.

SIR JOHN A. MACDONALD said he believed the custom had been to refuse the names, though he could not see the reason for it.

MR. CARTWRIGHT said he did not, himself, attach any very great importance to the giving and withholding of the names, but the agents who contracted the loan had conducted it according to the usual London custom, which would not permit them to give the names.

Motion, as amended, *agreed to.*

House adjourned at  
Twenty minutes before  
Twelve o'clock.

## HOUSE OF COMMONS.

*Thursday, April 25th, 1878.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

### ELECTION OF MEMBERS BILL.

[BILL No. 20.]

(*Mr. Laflamme.*)

#### THIRD READING.

MR. BURPEE (Sunbury) said that, in accordance with the notice he had given, he begged to move that the said Bill be re-committed to a Committee of the Whole, with instructions that they have power to amend the same, by inserting the following new clause:—“When in any Province a non-resident elector is entitled by the laws in force in the Province to notify to the proper officer his selection of a polling district for polling his vote, such notice for any election to the House of Commons may be given to the Returning Officer for not less than eight days before the

nomination, and the name of such elector shall thereupon be entered on the list of voters for the selected polling district, and erased from any other list of voters for the Electoral District." He believed that this would only apply to New Brunswick, for he was informed that in Ontario and Quebec voters voted in the polling districts where their property was situated. He was not aware of the law in the other Provinces, but in New Brunswick, electors were allowed by the local law to select their own polling districts any day before the 24th day of the December preceding the election. Non-resident electors, by written notification to the Sheriff of the county, should have their names transferred from the shiretown list to any list they chose, as, under the local law in that Province, any number of agents could be appointed by the candidate, and the universal practice had been for the candidates on the day of nomination to appoint the non-resident electors who wished their names transferred from the shiretown list to any particular polling district, as their agents, in the polling districts where they wished to vote. This being the case, no transfers were taken on the 24th day of December, and this would, to a great extent, disfranchise these non-resident voters. Their number varied from 160 to 400 in each county. There were 232 in his own county. If no such provision as he proposed were made, one polling booth or two polling booths extra would be required at each shiretown for non-resident voters, who would be by this measure practically disfranchised, because, under the law establishing simultaneous polling, they could not, of course, attend in two districts on polling day, unless facilities for doing so were provided. He thought that no objection should be taken to this motion, which was intended to facilitate the recording of their votes by non-resident voters.

MR. MITCHELL said he did not see the necessity for this proposition from the reasons given by the hon. gentleman. He had heard no reason to show why this selection should be made eight days before the nomination. It was quite customary for members to

be returned by acclamation, of which fact he was a living example, and why should people be troubled with this formality when they believed that their votes might not be required. He could, however, understand, that this provision might prove advantageous in a pocket-borough, like the constituency which the hon. gentleman represented, and which he (Mr. Mitchell) could canvass every morning before breakfast. He did not believe that the elections would occur before September or November, though the hon. gentleman might be better informed, and it was possible that that they would take place in June, in which event, as this law would not be then in circulation, this amendment might aid the hon. gentleman to the disadvantage of his opponent. He did not think that any change in the present law, which worked very well, was desirable.

MR. BURPEE (Sunbury) said he would not refer to the terms in which the hon. gentleman had alluded to his constituency, which was too well-known and too respectable to require any defence at his hands. He did not desire to change the law or practice in any respect. This proposition only allowed non-resident electors to select the polls at which they desired to vote, eight days before the nomination, giving the returning officer ample time to make up his lists. It was only intended for the convenience of non-resident electors.

SIR JOHN A. MACDONALD said that he did not know anything about the merits of the case; but this was a rather extraordinary interference with a Government measure. They were not aware what course the Government proposed to adopt with respect to this proposition. He understood that the hon. gentleman had previously communicated his proposition to the Government, and the hon. gentleman had been guilty of want of respect to the House in not communicating it to hon. members, as this was the third reading of the Bill.

MR. BURPEE (Sunbury) said their attention was not called to this matter until on the last occasion when this measure was before the House, when

he had communicated with the Government in this regard.

MR. MACKENZIE: The hon. gentleman asked that the Bill be not read the third time, as he had an amendment which he wished to propose. I asked to see it, and I did see it. This was only the day before yesterday, and he announced his intention at any rate of moving it.

SIR JOHN A. MACDONALD said they had not been informed as to the character of the proposed amendment. The hon. gentleman ought not to have taken the House by surprise in this manner. He thought, as a matter of justice to the House, this resolution should be allowed to stand over till to-morrow, in order that it might be considered.

SIR ALBERT J. SMITH said, as the law stood in New Brunswick at present, a non-resident elector had to notify to the Sheriff, on some day previous to the 24th December preceding the election, that he desired to vote, not in the shiretown, but some other polling place. Now, he presumed that very few non-resident electors made a selection before the 24th December, and what the mover of the amendment proposed was that a voter should give notice to the sheriff in writing, before the nomination day, that he wished to vote at some place nearer where he resided, instead of going 90 or 100 miles off to the shiretown for the purpose of voting.

MR. KIRK said the Bill affected Nova Scotia as well as New Brunswick.

SIR JOHN A. MACDONALD said if it was the case that the amendment affected the other Provinces, besides New Brunswick, that was an additional reason why time should be given for its consideration.

MR. MACKENZIE said there was no doubt a good deal in what the hon. gentleman opposite said, but his strictures on the Government were out of place. The principle of the present law was to accept the local lists, and the House made the division themselves. Any interference would, of course, have to be avoided, but this amendment made no change.

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SIR JOHN A. MACDONALD said the hon. member for Sunbury should allow his amendment to drop, and allow the Bill to pass. It was, after all, only a disturbing element brought in at the end of the Session.

MR. BURPEE (Sunbury) said he did not wish to embarrass the House, and he would withdraw his amendment. Perhaps it might be moved and fully discussed in the Senate, after which it could be brought back, when hon. gentlemen would have an opportunity of looking at it.

*Amendment withdrawn.*

MR. LANGEVIN said before the third reading was carried, he wished to record the opinion he expressed the other day to the Minister of Justice about the inconvenience that would be caused in districts where there were only one judge for three or four counties.

MR. TUPPER said he wished to take this opportunity of asking the hon. the Minister of Justice whether any consideration had been given to a point which he had previously raised. It did not come up strictly in connection with this Bill, but had reference rather to controverted elections. Practically, there was no Controverted Elections Act, and no check to bribery and corruption, or any of the questions dealt with at an election held just previous to the last Session of a Parliament. By an amendment which had been made in the Controverted Elections Act, no election could be controverted at a last sitting. But he would take the case of a first election, which was a much more important one. Suppose the writs of general election were issued and made returnable before the calling of Parliament, a new House could not practically be had, and the right of a member to sit there could not be questioned.

MR. LAFLAMME said when the amendment was introduced, it was with the consent of both sides of the House. The late Mr. Hillyard Cameron conferred with the ex-Minister of Justice and they both settled the point, which averted a great deal of inconvenience. If it had been otherwise, there was a possibility that after a general election

all the members' seats might be contested, and if members attended to their summonses, as they were bound to do, there would not be a quorum, and the whole business of the House would be suspended in order that members might attend the court. There could be no doubt that the provision was a good one, and it should not be rescinded.

SIR JOHN A. MACDONALD said every member of the House was there on the assumption that he represented the people, and if that right was questioned, it should be settled as soon as possible. The contingency pointed out by the Minister of Justice, that the seat of every member might be challenged, was an absurd one. Besides, it was not necessary even in that case that business should be suspended because a member would have only to attend the court in reference to a petition as he would with regard to a matter affecting his private business. In England, electoral trials went on without reference to whether Parliament was sitting or not. He acknowledged that his late respected friend, Mr. Hillyard Cameron, took a different view; but that view was not a wholesome one. He (Sir John A. Macdonald) had stated so before the House, but could not bring it up formally because his own seat was, at the time, affected, and he was, therefore, an interested party. He had felt then, and he felt now, that the object should be, whenever a petition was presented against a member, to take every means to prevent delay in the prosecution, and decide whether the man had a right to his seat or not, rather than allow him to sit and vote when he had no right to his seat.

MR. MILLS said the hon. gentleman had stated that the party should be proceeded against as rapidly as possible. That was quite true; but if the objection was worth anything, it would be against permitting a man to vote in the House while his seat was being contested. The case being in his favour, he should rather obey the mandate of the Crown than the mandate of the Court. The right hon. gentleman knew there was no objection taken to this measure when it was brought

up by the hon. member for South Bruce and concurred in by the late hon. member for Cardwell.

SIR JOHN A. MACDONALD: It was brought up by Hon. Mr. Dorion.

MR. MILLS said the point to which the then hon. member for Cardwell, the late Mr. Hillyard Cameron, called the attention of the House, was that a suit might be entered against a member for a mere vexatious purpose, without any serious intention of proceeding with it. The suit might be delayed from time to time under various pretexts, and it was to prevent this abuse that the amendment was made in the Election Law.

MR. MACKENZIE said this discussion was out of order. The point had been started by an hon. gentleman on the one side, and replied to by one on the other, and should not be allowed to go further.

THE SPEAKER declared the discussion out of order.

*Bill read the third time and passed.*

#### SUPPLY—THE COAL INTERESTS.

##### RESOLUTION PROPOSED.

MR. CARTWRIGHT moved, that the Speaker do now leave the Chair, and the House resolve itself into Committee of Supply.

MR. MACKAY (Cape Breton), moved

“That all the words after “that” to the end of the said motion be left out, and the following be inserted instead thereof:—“in the opinion of this House, it is advisable to impose a duty of seventy-five cents per ton, upon all coals imported into the Dominion, so as to help to meet the financial deficiency, and, at the same time, give a stimulus to a most important industry.”

He said he wished to call the attention of the House to the coal mining industry of Nova Scotia. He had endeavoured to do this before, but an hon. member claimed and had granted him precedence by the Speaker, and on several occasions during previous sittings of the House, he had also brought the matter to the notice of the House, but nothing of much practical moment had resulted from it. During last Session a Committee had been appointed, of

which he had been chairman, to enquire respecting this industry, which was an important factor in a county, prosperity, power and progress; and from the data therein furnished by a number of witnesses, he was induced to bring the matter before the House this Session. It appeared that some \$12,000,000 had been invested in working the coal mines of Nova Scotia, and in addition to this large amount of capital invested, a number of other industries were almost entirely dependent on the coal trade. It was well known that the shipping interest was closely allied to it. The tonnage employed in 1873 in carrying coal from Nova Scotia exceeded half a million, and the number of hands employed, directly or indirectly, amounted to about 23,000. The output of coal during that year amounted to 1,051,467 tons, and the number of vessels employed, directly or indirectly, in the trade amounted to 3,604, including 428 steamers. The output had fallen off from over a million of tons in 1873 to 757,496 tons in 1877. The main cause of this decrease was the imposition by the United States of an impost duty of 75c. per ton, which made it impossible for the Nova Scotia coal to compete with the Pennsylvania and other coals in their markets. The imposition of a tax of 10c. per ton on all coals exported, abolished a large percentage of the profits of the mines, and also materially interfered with their profitable working. The Dominion imported from the United States 933,980 tons last year, the whole of which was admitted free of duty. Of this quantity 420,000 tons was anthracite. It was true there was no anthracite in Nova Scotia, but the bituminous coal there produced was of such good quality that if it could be sent to Ontario it would be largely used in the place of the anthracite. Ontario was entirely dependent on the United States for her coal, and if any disturbances occurred, or any combination took place among the proprietors of mines in that country, the price could be raised to almost any extent. Ontario was, in this respect, owing to the want of reciprocal trade relations with Nova Scotia, entirely at the mercy of the United States. Consider-

ing the quantity of coal used, and that it is a necessity, it was of the utmost importance that it should be obtained as much as possible from amongst ourselves, and not imported from a foreign country. A duty should be imposed on foreign coal, which, it seemed to him, would be as wise and legitimate a duty as that on other articles, and it would be an easy method of strengthening our financial position; and, besides, we had precedents for it as, in addition to the United States, Cuba, Barbadoes, Trinidad, the Bahamas, and even Newfoundland, levied a duty upon coal, and yet none of the latter had any mines in operation. It might be said that coal was a raw material, but he maintained the contrary. It required to be cut, to be hewn, to be picked out, to be shovelled, blasted and riddled, and was, in fact, as much a manufactured article as lumber. The coal mine owners paid a duty on almost every article they used, and were entitled to some consideration in return. There was no industry which paid so much to the revenue as the coal trade. The system pursued in the United States was one which was liable to utterly destroy this interest. Besides their protective duty of 75c., a rebate was allowed on every ton shipped from their coal fields *via* Baltimore to the North-Eastern ports. Mr. Belloin, a gentleman well acquainted with the coal trade of Nova Scotia and the United States, in his evidence before the Committee, said: "I would suggest the building up of the coal trade of Nova Scotia by a duty equal to that of the United States, thus placing the Nova Scotia trade in the same position as coal shipped from Baltimore and other ports and places." He further says that, "if the imposition of a similar duty was made, the effect would be that the United States would remove their duty." Another witness said: "That a duty would help us, at all events, in exports to Quebec and Ontario to compete with the American coal there," and "to that extent it would enable us to meet the 75c. imposed there." Other testimony is to the effect that the witness "was prepared to adopt a retaliatory tariff with the United States." Yet another said:

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“That a duty of 75c. per ton would enable them to give a higher freight, and enable them to take a less quantity of down freight”; that, “on the supposition that a 75c. duty would be imposed, that we would anticipate no difficulty in getting sufficient down trade. I believe we have reasonable grounds for demanding of the United States Government the free admission of our coal, as we now grant the same to them; and failing which, a duty equal to what is charged on ours should be imposed on theirs.” Yet another witness said: “Let the Government place us on an equal footing with the United States by charging them 75c. duty per short ton, and we will give Ontario as cheap coal as she now receives; and we will be enabled thereby to command our own market, and the \$3,320,000 spent annually for coal from other countries will remain at home.” It was about time that the special legislation against our coal mining industry by the United States and the combinations of the Pennsylvania coal mining proprietors should be resented by this country. The evidence adduced before the Committee last Session proved, as he had just shown, that, if a duty was placed on American coal similar to their duty on ours, the combination of coal mining proprietors who allied themselves together for the purpose of having this duty imposed, would exert themselves for the purpose of having it taken off. The trade between Nova Scotia and Ontario was entirely one-sided. In 1865-6, Nova Scotia imported from Ontario and Quebec goods to the value of \$508,935, which, in 1876, increased to \$3,500,000, and the export from Nova Scotia to those Provinces in 1876 only amounted to \$438,000. It was, therefore, a serious question whether Nova Scotia would not have to seek another market, where it could sell its products and purchase in exchange those articles it required, instead of buying so much from these Provinces. It had been said the distance between Ontario and Nova Scotia was too great to allow of coals being shipped from the one to the other profitably, but when it was considered that England shipped coals to Quebec and to many parts of the United States, the West Indies and

San Francisco, it would be seen that the distance could not be an objection. The manufacturing interests were well protected by a duty of  $1\frac{1}{2}$  per cent., which, with the cost of transportation, insurance and other charges, in many instances equalled 25 or 30 per cent. The agricultural interests were also benefitted and protected under the existing tariff. The only industry which was not fostered was the coal trade, and it above, all others absorbed agricultural products, and manufactured and other goods, upon which duties were levied by the Dominion. The trade was a consumer and not a producer of any of these articles. The resolution which the right hon. member for Kingston brought in two Sessions ago, left out entirely any reference to the mining interests of this Dominion, but he considered it advisable to refer to them in his resolution this Session. He (Mr. MacKay) would like to know whether the policy of the Opposition was to give to that industry a fair share of incidental protection? Two classes of coal were imported, bituminous and anthracite. If a duty were placed on bituminous coal only, it would be of little value to the coal mine proprietors of Nova Scotia; its principal effect would be to increase the consumption of anthracite, as was clearly shown by the witnesses before the Committee. Were a duty charged it would be beneficial to Ontario as well as Nova Scotia, because if the latter sent coal to Ontario it would be necessary to obtain return cargoes, thus opening a large reciprocal trade between the two Provinces. It was established before the Committee already referred to, last Session, by several gentlemen who were very well informed on the subject, that coal could be shipped as far west as Toronto, and be delivered as cheaply as United States coals, provided the canal tolls were removed, a duty imposed, and return cargoes had. The only serious obstacle was the import of coal from the United States, upon which, if a duty were imposed equal to that imposed by them on Canadian coal, Nova Scotia would be enabled to supply the whole Province of Ontario, and take, as return freight, the products of that Province. He desired to have the opinion of this House on that

important matter. He was desirous of having the opinion of the right hon. member for Kingston, and of all the gentlemen who followed him in the House. He desired that they should affirm their position before this House, and the country, on this important question. He had heard their opinion with respect to agricultural interests and manufacturing interests, and it was about time they should declare their policy with respect to the coal mining interests of the Dominion.

MR. MITCHELL said that hon. gentlemen should express an opinion on this question, as initiating a principle upon which the interests of the country would in the future depend. He would vote against this amendment for this reason: He was not a Protectionist in the true sense of the word; but he was this much of a Protectionist. He thought that the interests of this country called for the consideration of readjustment of the tariff with regard to our position towards the United States. While he was prepared to take up the whole question of considering how they should readjust the tariff, which was necessary to maintain the expenditures required for the carrying on of the business of the country, he was not prepared to take up, piecemeal, items and individual interests and protect them against every other interest in Canada. He wished to be clearly understood in this matter. He came from a county which had every interest in securing free trade, manufacturing nothing save lumber, which was sold, not on this continent, but in Europe; and no system of protection that this House could devise would tend to promote the interests of the people he had the honour to represent. He considered the question from higher and nobler grounds than of interest. He was not going to deal with the interests of this country and he cared not how this might effect him in the coming contest next summer, for he was bound to look at what the interests of Canada were as a whole, and this was what he was going to do. He proclaimed his intention in order that there might be no misunderstanding regarding his views on the great issue which lay between the hon. gentlemen who advocated Protection

on the one hand and those who advocated Free-trade at any cost on the other hand,—the gentlemen who occupied the Treasury Benches and who advocated Free-trade and the sacrifice of Canada's interests to any extent, and the hon. gentlemen, on the other side of the House, who advocated Protection. He was not answerable for the course taken by the regular Opposition. He was propounding the views which he himself entertained on the question, on which he was at all events going to appeal to his constituents, and while their interests lay in the direction of having as few taxes as possible on imports, being not manufacturers, yet looking to the necessities of the revenue, he prepared to represent their wishes and views, and say that, "The interests of Canada called for a readjustment of the tariff, so that the 22 or 24 millions required were raised." He was sure they would be willing to endorse the sentiments he uttered and to have their representative place upon record his opinion in respect of what might or might not be for the interest of Canada in the readjustment of those imports which were necessary for the maintenance of the Government and the public works of the country. The views that he entertained on this matter were these: He was not a Protectionist, he was a Free-trader in the abstract, but they had to put on a certain amount of duties to raise the 22 or 24 millions required to maintain our public works, to meet the indebtedness created, and to provide for the necessary legislation and the other public service, requisite to carry on the business of Canada; and he was prepared to support—no matter from which side of the House it came—the principle of so readjusting the imports and taxes necessary to raise this revenue as to encourage and promote, within our own borders, the manufactures which would keep within our own borders our own people, and create a home market for the products of our farmers, and give employment to the sons and daughters of the people of this country. This was the doctrine which he laid down. Hon. gentlemen opposite might call him a protectionist, or free-trader, but he was in favor of adopting a policy which would

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secure the revenue required, while it aided our industries, and, at the same time, did not increase the burdens of the people. Such a policy would encourage our own manufactures, and keep within our borders our young men and our young women, who, for the last 15 years, had been going to the United States to find employment, and make homes for themselves there. He desired to see this system changed.

MR. YOUNG: That is the present system.

MR. MITCHELL said that this was not the present system. This was a system which the hon. gentleman repudiated, and did not recognise. It would keep our own people in our own borders, and give them employment. The Government which the hon. gentleman supported, and blindly followed and gave his adhesion to, did not adopt the system or policy which he (Mr. Mitchell) now indicated, and which he thought Canada ought to pursue. He was bound to vote against the motion of the hon. member for Cape Breton, because it was politically dishonest with regard to the people of this country. The hon. gentleman desired that he (Mr. Mitchell) should impose a tax of 25 or 50 cents a ton on coal consumed in this country; and why? In order to build up the coal mines of Nova Scotia. Doubtless, the members for Nova Scotia would support this motion; but the people of New Brunswick would not do so, and why? They did not think that it was necessary to put 8 or 5 cents a ton on the coal of Nova Scotia, and do nothing more in this direction. He was prepared to advocate such a duty, if it was adopted as a general principle, and if it was proposed to consider every interest in Canada in this relation—our manufactures, the shoe and iron manufacturing interests, and a host of other industries which he need not mention, he was prepared to consider these interests a whole, although his county was interested in having the least possible amount of taxation imposed, as it imported and did not manufacture. Nevertheless, he was prepared to consider, in a general system of Protection, these interests

as a whole, but he would not take them up as individual interests, and do as his hon. friend would do. He would not ask for Protection on coal. When the question of general policy came up hon. gentlemen opposite might be placed in an awkward position, and come out and condemn the very principle which the hon. gentleman now asked them to support, because he was specially interested in it. He wished to place his views on this point on record. He desired the tariff to be so readjusted that, while no more revenue was raised than was now obtained, our manufacturing and agricultural interests should be encouraged, and the people across the line be prevented from sending over their surplus articles and destroying the manufactures of the people of our own country. These were the views which he entertained, and he took this early opportunity of putting them on record. While prepared to vote for a duty of 15c. a ton on coal, if adopted in connection with the other interests of Canada, he was not prepared to do so as an isolated measure; consequently he would record his vote against the amendment.

MR. FLYNN said that he would vote for this amendment. On a former occasion he had voted against the amendment moved by the right hon. member for Kingston, which included Protection to the mining, manufacturing and agricultural interests of the Dominion; and he now wished to set himself right, and show that he was not open to the charge of inconsistency, or of desiring to vote for a sectional tax. The agricultural and manufacturing interests were now protected,—the latter by a duty of 17½ per cent., which, with incidental charges connected with importation, was equal at least to 25 per cent. Three industries were embodied in the right hon. gentleman's motion, and two of these were already protected, while the important coal industry of Nova Scotia was unprotected, and not only unprotected but also compelled to pay a large duty on the articles required to open and develop the mines. The hon. mover of the amendment had given statistics showing the

large amount of money invested in this interest; the large amount of shipping engaged in the transportation of coal, and the large number of people employed in connection with this industry. In addition, it was burdened by an export royalty, imposed by the Provincial Government, of ten cents a ton. For these reasons he was quite consistent in voting against the amendment of the right hon. member for Kingston, and in voting for this amendment.

MR. McDONALD (Cape Breton.) said it was quite evident that the motion which was moved on a former occasion by the right hon. member for Kingston, was producing its effect. This, he believed, was the third motion of the kind moved by hon. gentlemen sitting on the other side of the House, in support of the principle contained in the right hon. member's resolution. This showed clearly that public opinion was forming on this question, and that fear as to the result of the approaching elections was compelling some of those hon. gentlemen who voted against the resolution, to regret their votes. They had first the motion moved by the hon. member for Durham, and then the motion proposed by the hon. member for Iberville, and now they had this motion. The object of the hon. member from Cape Breton (Mr. MacKay) was stated in his closing remarks, from which it appeared that the hon. gentleman did not believe that this motion would be carried, or that it would benefit the coal interests, but he simply made this proposition with the view of injuring the Opposition. The hon. gentleman said that he wanted to test the opinion of the right hon. member for Kingston and his supporters, on this question; but he did not refer to the Government which he supported, and the opinions of the hon. leader, which, in this connection, were well known. The opposition of this hon. gentleman (Mr. Mackenzie) to the coal interests of Nova Scotia was particularly well known, as also the hostile opinions of his supporters in the House in this respect; while, on the other hand, the opinion of the hon. member for Kingston was known to be favourable to

this industry, as a part of the policy intended to benefit the general interests of this country. He was not surprised that the hon. gentleman had now made this motion, because he believed that the hon. gentleman had, by this time, ascertained the feeling of the county, which they both represented, on this point. The hon. gentleman was perfectly well aware that any member of this House who voted against the resolution of the hon. member for Kingston would have no chance of being elected in that county, and he believed that this was the prevailing sentiment in the Island of Cape Breton. The hon. member for Richmond (Mr. Flynn) as well as the hon. seconder who had spoken on this question, knew perfectly well that the people of the Island of Cape Breton would not consider that this resolution was either honest or sincere, and their constituents would think that it would have been more honourable and more upright if these hon. gentlemen had supported the main resolution which would have secured the protection of this industry. The hon. gentleman (Mr. MacKay) had stated that there was nothing in the resolution of the right hon. member for Kingston. He would read this motion to show that it would benefit this particular industry:

“This House is of opinion that the welfare of Canada requires the adoption of a National Policy, which, by a judicious readjustment of the tariff, will benefit and foster the agricultural, the mining, the manufacturing and other interests of the Dominion.”

The hon. gentleman had stated that Ontario sent to the Lower Provinces a large quantity of agricultural products, in payment of which it received only coal, and that if a duty was imposed on American coal, this would be the means of enabling the Lower Provinces to pay for these products in coal. The hon. gentleman, in voting against the resolution of the right hon. member for Kingston, had voted against the very thing which he now advocated, and against the policy which would secure interprovincial trade. The hon. gentleman had by this time discovered the mistake which he made on that

occasion, and he (Mr. McDonald) believed that the electors of the county, as well as of the whole island of Cape Breton, would not forget this when the elections came on. His hon. friend during the past four years had supported a party whose sentiments were well known to be opposed to the coal interest of Nova Scotia, and the hon. leader of the Government in 1875, he believed, had stated, in his place in the House, that it would take nothing less than \$2 a ton of duty to be of any benefit to this coal interest, although the House was well aware that the gentlemen interested in these mines only wanted to have a duty of 50c. a ton imposed. He endorsed to a large extent all that his hon. friend had stated in advocacy of this proposition. He believed that such a policy would very largely benefit this industry, which otherwise was threatened with complete ruin, and this was only a question of time, if no protection was given to it. Without such aid he considered that this question would be completely ruined in a very short time. He would, therefore, vote for the amendment.

MR. MACDONNELL said that he could not allow one remark of the hon. gentleman (Mr. McDonald) to pass unnoticed. That hon. gentleman had been pleased to say that it would have been much preferable for the people of Nova Scotia if the hon. mover of this amendment had voted for the general amendment proposed by the right hon. member for Kingston, instead of making this motion. He quite differed with the hon. gentleman in this regard. He thought that any further protection than what we now had would tend further to destroy the coal interest of Nova Scotia. There were two causes to which they could attribute the decadence of this interest. In the first place, this was due to the hostile American duty of 75c. a ton, placed on imported coal; and in the next place, this was due to the protective duties which we had imposed against the manufactures and other commodities of the United States. During reciprocity, the Nova Scotia coal interest had flourished; and the moment they lost reciprocity, their

trade with the United States was lost, and thus trade was further crippled by the giving of further protection to our manufactures and other industries. Any further protection must be directed against American products, which step would cripple their present trade with the United States, and thus inflict a further loss on the coal interest of Nova Scotia. The United States was their great market for coal, and the greater the trade and commerce that they had with that country, the more flourishing would the coal industry be. He, therefore, quite differed in opinion from the hon. gentleman, who himself knew other than what he had stated. He believed that the hon. gentleman knew better. Any further protection would go to further ruin their coal interest. He felt that an invidious distinction had always been made in this House against this interest. The moment that they asked for a duty on coal they were met with the request that the agricultural and manufacturing interests, and every other interest of Canada, ought to be protected.

MR. BOWELL: Why not?

MR. MACDONNELL said that they wanted protection for one industry.

SIR JOHN A. MACDONALD: Of course.

MR. MACDONNELL said that this was the coal industry. The people of Ontario thought that their various interests ought to be protected, but what did Ontario take from the Lower Province in exchange for the thousands and thousands of dollars worth that they imported from Ontario? This was not the prognostication which had been held out to them at Confederation; and as one who took an active part in promoting this policy, he was sorry to say so. They had expected an interchange of trade and commodities, and a reciprocity of policy.

SIR JOHN A. MACDONALD: Why do you not ask it from the Government on this occasion?

MR. MACDONNELL said that this reminded him of the resolution of the hon. gentleman. If they went back to the proceedings of the House last year,

they would find a resolution moved by the right hon. gentleman recorded, in which several industries of Canada, but not the coal industry, were referred to as requiring protection.

AN HON. MEMBER: The mining interest was mentioned in it.

MR. MACDONNELL said that mining might mean anything, as might also the motion which the right hon. gentleman had proposed this Session in connection with the readjustment of the Tariff. The protection of various industries was demanded, but what did this mean—75 or 50c., or one cent a ton on coal; or did it mean anything?

MR. YOUNG said he desired to point out the very dangerous character of the motion to the manufacturing interests of the Dominion, and especially to those of Western Canada. Before doing so he might notice briefly the remarks made by the hon. member for Northumberland. That hon. gentleman stated he desired to have a readjustment of the tariff which would give encouragement to our manufactures. He (Mr. Young) had ventured at the time to say that such was the present policy. Such, indeed, had been the policy pursued in Canada for twenty years, with this difference, that under the existing Government there was  $2\frac{1}{2}$  per cent. more protection than there had been under the late Administration, with the additional fact that in consequence of the change in the price of gold in the United States, the amount of encouragement given was, so far as American manufacturers were concerned, more than 10 per cent. greater than under the tariff of hon. gentlemen opposite, when they were in power. The hon. gentleman said he wished to see a system adopted which would keep the people of this country in Canada. Well, it appeared from a return drawn up by hon. gentlemen opposite, that under their rule some 500,000 or 600,000 Canadians had gone from this country to the United States; whereas, he ventured to say, that not one in ten emigrated at the present time who formerly did. The hon. gentleman who brought forward the fallacy which had been so often heard

this Session—a fallacy, the absurdity of which made him surprised that it should be repeated so often—that the Opposition should at once decrease the taxes of the people and give a large amount of Protection. He would not insult the intelligence of the House by attempting to expiude such a transparent fallacy, but only say that hon. gentlemen opposite would be quite as able to lift themselves over the House by their boot-straps as to carry out both ends of that proposition. Our manufactures were becoming more and more dependent on coal, particularly in the older sections of the country, where wood was becoming scarce and expensive. He found, on looking over the returns, that last year we imported \$1,792,000 worth of bituminous coal into the Dominion, all of which was imported into the Province of Ontario, with the exception of about \$16,000 worth. Now, he ventured to affirm that, though a duty of 75c. was placed on coal, as proposed, it would not lead to 100 tons of Nova Scotia coal being used in the Province of Ontario; it would take, at least, \$1.50 to \$2 a ton to force it into use in that Province. Evidence which was brought before the House two years ago conclusively proved, to his mind, that at least one and a-half dollars would be required to force Ontario manufacturers to use Nova Scotia coal; this duty of 75c. per ton, then, would be a direct duty upon our manufacturers. This motion did not refer only to bituminous coal, it proposed that a duty should be put on anthracite coal as well; the idea probably being that, unless this was done, the effect of a duty on bituminous would only lead to a larger quantity of anthracite being used. This proposition made the motion still more dangerous. He found that, last year, we imported \$1,706,000 worth of anthracite coal of which \$1,304,000 worth was imported into Ontario. The proposed duty of 75c., therefore, would be a direct tax on the manufacturers of Ontario and Quebec. While certain temporary advantages might be gained by this class by putting duties on certain imported articles, the placing of a tax on coal and other raw material would do them more harm than a slight advance on

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imports would do them good. The proposed policy would strike a fatal blow at our rising manufacturing industries, which, he was glad to say, were progressing as fast as other interests, and he called on the House to vote down the amendment.

MR. WOOD said he simply, in the interest of the railroads of Western Canada, rose to protest against any duty being placed on bituminous coal. It was well known that wood was getting very scarce throughout Western Canada.

MR. PLUMB: It will be scarce next year.

MR. WOOD said the hon. member for Niagara would, perhaps, be scarce next Session. The Great Western Railway Company used hundreds of thousands of tons of coal every year. Would it be fair to compel them to pay 75c. a ton duty on coal, when, perhaps, they did not obtain a single ton from Nova Scotia. It was utterly impossible that a duty of 75c. a ton on Nova Scotia coal could push a single ton of of American coal out of the market. The imposition of such a duty would be a great hardship to the people of Hamilton, who, at present, had the markets of this country in their hands. While called upon to pay a higher price for their coal, the manufacturers of Hamilton could not get more for their sewing machines or other manufactured goods.

MR. ROBINSON said he would have great pleasure in voting for the amendment, because he, like the hon. member for Hamilton, believed it to be a step in the right direction, and as tending to promote inter-provincial trade between Ontario and Nova Scotia.

MR. BUNSTER said the question was one of importance to the Pacific Province, where excellent coal was produced in abundance. American speculators were in the habit of bringing up their good native coal mixing it with coal of inferior quality, and then reselling it. The Hon. Mr. Richardson reported very favourably as to the coal in that Province, and he (Mr. Bunster) was in a position to state further, that there was anthracite coal

in Queen Charlotte Island. He thought every industry in this Dominion ought to be protected. To the system of protection which they had adopted was entirely due the greater prosperity of the United States.

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

### After Recess.

MR. TUPPER said after the exhaustive discussions which had taken place during the present Session on the fiscal policy of the country, it was not his intention to take up much of the time of the House at this advanced period of the Session, although the motion was one of very great importance. It would be a poor compliment to the intelligence of the hon. mover of the resolution to suppose that he intended by it to promote the interests of the coal owners of Nova Scotia, or the interests of the Province of Nova Scotia, which was so deeply interested in everything connected with the development of the great coal mining industry. The hon. gentleman was perfectly well aware that the Government, of which he was so ardent a supporter, had declared its hostility to any measure calculated to promote the coal mining industry of this country. The hon. gentleman was perfectly aware that in this House and out of it, not only the gentlemen on the Ministerial benches but their leading supporters, took every opportunity of pointing out the injustice of any measure that would be calculated to foster that great industry of Canada. But he was also perfectly well aware that the efforts of the Opposition in favour of measures which would promote the coal mining industry of Nova Scotia had failed, and that the efforts made by the late Government had also failed in consequence of a want of combination on the part of the various industries and interests in this country requiring and desiring, each for itself, a certain amount of protection. The hon. gentleman was perfectly well aware, from the past history of this Parliament in relation to this question, that the only means by which the coal mining industry could be fostered and promoted

was by the policy adopted by the right hon. gentleman who led the Liberal Conservative Party, as expressed in the resolution which he had offered to this House, and on which he, and the party serving under him, were prepared to take their stand before the people of this country. That was not a policy of selecting any one individual industry, but a national policy, combining all the interests of this country that required and deserved the fostering aid of Parliament. It was perfectly obvious that by that combination, and by that combination alone, the object could be attained. When the hon. member for Cape Breton, therefore, had an opportunity of doing something really effective in relation to this important question, he did not avail himself of it. He united with the Government and the party who had declared their unmitigated hostility to any measure by which the great depression in the coal-mining industry might be removed. The hon. gentleman voted down the resolution moved by the right hon. member for Kingston, which declared that it was the interest of this country that a fostering Protection should be given to the great agricultural, mining and manufacturing interests of Canada, and by a general policy, by an even-handed policy, one that would deal at the same time, and in the same just spirit, with all the great interests that required the aid of Protection, accomplish, in the only way in which it could be accomplished, the measure which the hon. member for Cape Breton appeared to support, by the resolution he had moved. He (Mr. Tupper) had said before, it would be paying a poor compliment to the hon. member to suppose that, by the resolution he had offered, he intended doing anything whatever in the interests of the coal owners of Nova Scotia, or of those directly interested in the prosecution of that great industry. The resolution was calculated to raise all the hostility, all the opposition that could be raised to that proposition in this House. Not content with asking that which the coal owners of Nova Scotia themselves asked, when they approached this House by a petition, he had gone further, and apparently

afraid that a large portion of the members of the Opposition would have voted for the resolution, if proposed in the terms of the petition, namely 50c. per ton, the hon. member had asked for the extreme measure of imposing a duty of 75c. per ton. He (Mr. Tupper) was not drawing upon his imagination. The hon. gentleman, with a frankness which did him credit, did not disguise from the House that his object was not to promote the interests of the coal owners, but to endeavour to embarrass the position of gentlemen on the Opposition benches. He seemed to doubt the right hon. member for Kingston; he wanted to know where he would be found, and where the other gentlemen on this side of the House would be found, but he did not want to test the position of the Government and their supporters. No, because the hon. gentleman knew the position of the Government, and only wanted to damage the members of the Opposition who were in favour of a duty on coal. He (Mr. Tupper) could only say that he was prepared to vote for this resolution, to vote for a duty of 75c. per ton on all the coal imported into this country; he was willing to go the entire length of this resolution. He believed it would be sound policy for the members on both sides to unite in support of this resolution. The important effect of adopting this policy would be to say to the great coal monopolists of the United States, that their coal coming into Canada would be met by a similar duty as that imposed on coal going into the United States, and the result would be like free admission of Canadian coal into the United States, and the free admission of United States coal into Canada. On its own merits he was prepared to support this resolution as a matter of sound policy, and as the only means by which this country could hope to have that free trade with the great republic lying alongside us, which was the only free trade that any country could long consent to have, namely, free trade on both sides. The only way to obtain reciprocity with the United States was by adopting a policy similar to theirs, by being able to negotiate with them, and say if they

want to have Canada open as a market to the United States they must open their markets to us. He had in his hand a speech made upon this question by a gentleman of great experience, who had been for a considerable time in Parliament, who, certainly, could not be charged, as he (Mr. Tupper) would be charged on the present occasion, with having had sectional interests in view rather than a liberal general policy which would commend itself to the country. He need not ask the attention of the House to the short but able speech delivered in this House by the hon. member for North Oxford, (Mr. Oliver) and which gave in a small compass the whole argument covering the case. It was made as long ago as 1870, after the hon. gentleman had been several years in Parliament, and when he was in a more independent position than he occupied at present, because he was then in a position to advocate and to press upon the Finance Minister of another Government a policy which he felt was in the interests of the country, and which he could urge without embarrassing the friends with whom he was politically associated. That gentleman in moving for an Address to His Excellency, praying for the imposition of an import duty on wheat, flour, Indian corn, hops, coarse and fine salt and coal, was reported to have said:

"For instance, immense quantities of flour were being imported into the Maritime Provinces which, if a proper duty were imposed, would be supplied by the Upper Provinces.

Whenever there was any excitement or uneasiness in any of our local markets, the facilities afforded to the United States manufacturers were such as to enable them to step in and offer their products on better terms than Canadians. For instance, he stated, that last year we imported into Canada 1,655,000 bushels of Indian corn, which comes into direct competition with our own coarser grains. The larger distillers in the country did not pretend to buy Canadian grain and had no interest in the local market, which, in consequence, suffered great loss. In coal we imported \$951,000 worth, and exported in the face of a restrictive tariff \$630,000 worth. There was no doubt, he said, but that if a proper duty were placed on the article, there would be brought about the free trade which was predicted in the Confederation debates, an interprovincial tariff that would be beneficial to the whole Dominion. \* \* \* He believed it was the interest of the Province to secure to our own people the markets of the country. If American products came into the

country, they should under present circumstances, do so under a tax which would add to the revenue of the country, and which we will require for our large public works."

There was very little to be added to this. Little could be added to it. The hon. gentleman in succinct terms, had, he might say, almost stated the whole case; but he did not overrate either the importance of an inter-provincial trade, or the extent to which it could be promoted by such a policy as he on that occasion advocated. He would detain the House for a very few minutes while he showed the effect in producing inter-provincial trade, that the imposition of a very small and insignificant duty would have. As he had before stated, in 1866 when the Reciprocity treaty was abolished, he had proposed to the Legislature of Nova Scotia, that they should meet it by the re-imposition of the duties as they existed at the time when this treaty went into force; and they imposed a duty of 25c. a barrel on flour, and a small duty on butter and lard, cheese, beef and pork, and he would only detain the House to show the result of the imposition of these duties for a single year. Mark that Confederation had not then taken place; the means of communication and the intercourse between Canada and Nova Scotia were then altogether different from what they were to-day; we had no inter-provincial railway, making easy and rapid and inexpensive transit for the products of Ontario and Quebec down to Nova Scotia, and he thought that the House would be astonished when he gave it the result of the imposition of these slight duties for a single year. In 1866, they imported of beef and pork 6,155 barrels from the United States, and 50 barrels from Canada—that was from Ontario and Quebec—and in 1867, under the imposition of this small impost, they only imported 572 lbs. of beef and pork from the United States, while the import from Canada, notwithstanding the great want of means of communication at the time, rose from 50 to 871 lbs. of butter and lard. They imported from the United States in 1866 90,950 lbs., and 3,840 lbs. from Canada. There was a large increase in that year in the import of butter and lard into the Pro-

vince, and they imported from the United States in 1867, 106,221 lbs., a little more than the year before. But mark the result of the effect of this slight import with relation to the trade of Nova Scotia and the trade of Canada. In that one year the trade went up from 38,401 lbs. to 448,303 lbs. from Canada; of cheese, they imported 56,965 lbs., in 1866, from the United States, and 28,078 lbs. from Canada. In 1867 they imported only 23,850 lbs. from the United States, and 30,814 lbs. from Canada. Mark the effect of the duty of 25c. a barrel on flour; and this was when Confederation had not taken place, and when there was no Intercolonial Railway by which they might have the cheap and rapid transit and communication which now existed. In 1866 they imported 278,923 barrels of flour from the United States, and 61,114 barrels from Canada; and in 1867 they imported, instead of 278,000 barrels, 72,860 barrels from the United States, while the import from Canada, under the 25c. a barrel duty, rose in one year from 61,164 barrels to 227,616 barrels from Canada. He drew the attention of the House to these figures to show how thoroughly the sound views that the hon. gentleman from North Oxford held to the House, in the speech he had read, were verified by the result, and to show how small an impost would turn the whole current of trade from one channel into another. If this was the case, what might they not expect in the way of inter-provincial trade when they had provided the means of rapid, easy, and cheap inter-communication between the older Provinces of Ontario and Quebec, and the Maritime Provinces. He believed that it would be impossible to overrate the effect of such a policy as that which was contained in the resolution before the House, with reference to this one article, or of such a general policy as they found embraced in the resolution which was submitted to the House by his right hon. friend the leader of the Opposition. It would be impossible to overrate its importance in regard to the amount of inter-provincial trade which would grow, and it would be impossible to overrate the importance of this inter-

provincial trade. Why, unless they could knit together the component parts of this Confederation in commercial bonds; and, unless they could produce this inter-provincial trade, which would make one Province feel that its interest was being promoted by inter-communication and commercial inter-communication with another Province, they would largely fail in securing the objects which were aimed at, and which he believed were perfectly susceptible of being realized by this great Confederation of the Provinces. He believed that if we had got to take up this question in a national spirit, in its bearings not upon one section or another section of the country, but on the prosperity of the whole country; and, if it was taken up in a broad and national spirit, and not confined to one or another industry, but broadly made applicable to the general industrial resources of the country, results would flow from this policy of a character and description that would not only be most gratifying, but also most beneficial to the whole of this country. He might say that attention had been drawn to the fact again and again, of the protective policy of the United States of America, and the same question had been raised here as to what the effect of it had been in relation to that country. He would just read a short extract from a London newspaper, showing the enormous results that had flown with regard to the trade and the balance of trade between the United States and Great Britain, in consequence of the introduction of this protective policy, under which that country had manufactured for itself, by the industry and employment of its own people, the products that previously they depended upon another country to obtain. He would read an extract from the *Trade Journal* of London (England), as follows:—

“AN AMAZING CHANGE.—The *British Trade Journal* of London says:

“The revolution that has occurred in our commerce with the United States is expressed in a few figures. In 1865 the value of British exports to the Union amounted to \$122,000,000, against \$847,000,000 imported by us from that country during the same period. In 1876, however, the tables were turned; for, while our exports had dwindled



to \$98,000,000, the value of the goods imported reached the large sum of \$367,352,000, showing a balance in favour of America, in twelve months, of \$269,352,000."

In 1876 the United States, under a protective policy, had become one of the great manufacturing countries of the world, and had rendered itself not only independent but prepared to go into foreign markets and compete with its manufactures against the world. That was the result. It was impossible with a statement showing that the result of the country adopting a policy of manufacturing for itself and giving employment to its own people and rendering itself independent to a large extent of other countries in the way of importing manufactured goods, and evidence of this kind, to doubt the wisdom of the policy that would place this country relatively in a somewhat similar position, and give the means of furnishing profitable and lucrative employment to our own population, largely attracting people into this country, giving profitable employment to those who were now here and rendering us comparatively independent of our neighbours across the border; and at the same time building up such an inter-provincial commerce among ourselves as would knit together this country from end to end, and also promote the prosperity of the whole country. He was sorry that the hon. member from Cape Breton, in moving this resolution, seemed to have drafted it in such a way as to obtain the smallest possible amount of support, and indeed he knew very well, that there was no form in which this resolution could be submitted, that would obtain the support of a majority of the House as it was at present constituted. And he would further say that he despaired of ever seeing the coal mining industry of Nova Scotia, or the agricultural interest of Ontario, or the great manufacturing industry of the whole of this country, ever fostered, or ever protected, or ever placed in a position such as every patriotic man in Canada must desire to see it in, except by such a combination of all those interests as would bring them all into operation, not for isolated sectional interests, but in such a way as would give support to the whole of them. He

had at the outset stated that he did not intend to occupy much of the time of the House, as he had had opportunity on a former occasion to discuss the fiscal policy at some length, and he would resume his seat expressing the hope that, although this resolution would be defeated to-night, and although standing by itself, he believed that it would at any time be defeated in this Parliament, he still looked forward to the time, and that at a very early day, when a different spirit would animate the Legislature of this country, and when all these industries would unite and combine together not only for the purpose of protection, but also for the necessary purpose of self-defence, and be enabled to obtain such a fostering aid from the Parliament of Canada as would be not only of essential benefit to one and all of them, but would promote the common interests of our common country.

MR. OLIVER said that it was not his intention on the present occasion to take any part in this discussion, but as direct reference had been made to him it became his duty to do so. The hon. gentleman (Mr. Tupper) had done him the honour to read a speech which he delivered here in 1870 on this particular subject, and in doing so, it would be clearly seen that the object he had had in view was this: the Protection of the whole of the interests and industries of this country, so as to secure reciprocity with the United States. He held that we did now stand in the same position as in 1870. We then had full control of our fisheries, to which he referred in that speech; and full control over the navigation of our rivers; but now we had no control over our own fisheries, which had been conceded to the United States for twelve years, with the navigation of the St. Lawrence for all time to come, so that we did now stand in the same position as them. But he was free to acknowledge—and he believed that if the hon. gentleman were as free to acknowledge all the mistakes that he had made in his life, it would be just as well for him—that this was the only speech that he had ever made on the floor of Parliament which he regretted having made.

Some HON. MEMBERS: Hear, hear.

MR. OLIVER said that he could give the reason why he had then made this speech. It was now eight years ago, and in the course of this period any person ought to gain experience, and by strictly studying the trade of this country he ought to know more about it in 1878 than in 1870. It was well known that at that time there was a meeting of Canadian manufacturers, who then, as now, wanted heavier protective duties placed on manufactured good; and they published a large number of copies of the headings of a petition which was circulated throughout the length and breadth of the country. These petitions were sent to every municipal Council in the country, and to every particular locality to get signatures attached and to be presented to this House. The municipal Councils, without discussing them much, signed them and sent them down to Parliament, and he had then the honour of presenting to the House a very large number of petitions asking for the policy which he at that time advocated; and he must admit that without taking the matter so fully into consideration as he ought to have done, he had pursued the course mentioned by the hon. gentleman. But what was the experience of the twelve months during which that duty was levied on these goods? Was it an experience which confirmed him in the opinion that this policy was the correct one? He held that the experience which he and the people which he represented had during that period, was anything but one which gave satisfaction to the promoters of that policy. There was not a single manufacturer in his county that used coal as a raw material, but what found fault with the duty on coal; not a single individual in his county but that found fault with the extra duty on salt, and he had not met a single individual, throughout the length and breadth of the country, who did not similarly condemn this policy which was pursued in this regard by the Government of the day in 1870; and if he had the journals of the House before him, he thought he could show that the hon. member for Cumberland was just as inconsistent as he was, and not so honest in confessing his inconsistency. The

MR. OLIVER;

hon. gentleman voted for that policy, and he did all he could, not being a member of the Government at the time, to compel the Government to bring in this policy. They all remembered the change of policy that was made within a very few hours, and they knew very well that the pressure which the hon. gentleman brought to bear on the Government caused it; also, that 10 or 11 months afterwards, this hon. gentleman voted for the repeal of this policy, and of the act which imposed this duty. And yet the hon. gentleman had the assurance to accuse, in this House, any hon. gentleman of inconsistency, though he was as inconsistent in this regard as any gentleman on the floor of Parliament. And were they to trace the political career of the hon. gentleman from the time he entered public life, he did not doubt that hon. gentleman's inconsistency could be shown in a great many other cases. The hon. gentleman was inconsistent with reference to this very motion; he and the right hon. member for Kingston declared in the House a few days ago that the policy of the Opposition was to allow raw material to come into this country free of duty. Was coal raw material for manufacturing purposes? It was either this or manufactured goods, and no manufacturing institution in this country could be carried on without coal. Then it was a raw material; and yet the hon. gentleman advocated the imposition of a duty on it, and would thereby impose a duty on the raw material which he had said should enter the country free of duty. This was inconsistent. The hon. gentleman also said that the imposition of a small duty had caused a very great quantity of goods to be sent from Canada to the Maritime Provinces. The flour consumed in the Lower Provinces was the product of the Canadian farmer, and was it the levying of a duty that caused it to be sent there? There was no duty on flour now, and this had not been the case for the last seven years; but, nevertheless, the flour consumed in the Maritime Provinces principally came from Canada, which afforded proof positive that it was not the imposition of a duty which caused articles of trade to flow into Nova Scotia and the

other Provinces on the Atlantic seaboard. A remarkable statement had been made by hon. gentlemen opposite, to the effect that by placing a duty of 75c. a ton on coal and 50c. a barrel on flour coming into the Maritime Provinces from the United States, it would cause the Americans to give us reciprocity. He wondered how any intelligent man could believe that four millions of people would be able to change the fiscal policy of a nation containing forty millions, by putting a duty on coal and flour, and a small duty on malt. A short time ago the Canadian Government put a duty on malt coming into this country; but did the Americans take all duty off malt and allow the Canadian article to go into the United States markets free? No; they doubled the duty on malt going into the United States. The hon. member for West Toronto seemed to say that the imposition of this duty would not increase the price of coal. Now, if the report of the examination before the Coal Committee last Session, in connection with the depression of trade, was consulted, it would be found no attempt was made to deny that the imposition of a duty on coal would increase the price in the west.

MR. TUPPER: Is the hon. gentleman not aware that a meeting of manufacturers held at Toronto agreed to the proposal to put a tax on coal?

MR. OLIVER said that he was informed that a person named Fraser, in the employment of hon. gentlemen opposite, went through the country and convened a meeting at Toronto, composed of individuals who supported the policy advocated by hon. gentlemen opposite. He might state that the Board of Trade, which was an independent body representing the commercial men of this country, also had a meeting, but did they adopt a resolution to put a duty on coal?

MR. TUPPER: It was lost by a majority of three.

MR. OLIVER: And how many persons attended the meeting at Toronto? Not over 40.

MR. TUPPER: I understood from the statement of the Chairman, Mr.

Howland, that 50 of the leading manufacturers of Ontario were present.

MR. OLIVER said that not one of these individuals represented a majority of the manufacturers in their various localities. There could be no doubt that the consumer of an article paid the duty upon it, and yet this was the policy advocated by hon. gentlemen opposite. It would be just as wise to put a duty on salt coming into this country, and force the salt of Goderich down to the Maritime Provinces. If hon. gentlemen opposite succeeded at any time in putting a duty of 75c. per ton on coal, the people would rise against them, and put other men in their places. He would not deny the speech which he had been taunted with having made. On that occasion he tried to do what he believed was for the benefit of the people; but, after considering the matter fully, he must admit that he was mistaken in what he previously said.

MR. McCALLUM said it was just as likely that the hon. member for North Oxford had taken a mistaken view of the case now, as at the time to which he referred. The Government deemed it desirable to raise revenue by means of a revenue on tea, but he would point out that, by adopting this proposed duty on coal, a still greater amount of revenue would be derived, while the coal owners of Nova Scotia would be encouraged. The most selfish people of all were the mover and seconder of this resolution, because they had been supporting a Free-trade Government for five years, and at the eleventh hour they brought down a resolution of this kind, which they knew would not carry. If they thought it would carry would those gentlemen vote for it? He (Mr. McCallum) intended to vote for it, because it was part of the policy he advocated. He hoped it would carry; and if so, being a vote of non-confidence in the Government, it would remove hon. gentlemen opposite from their places, and put other men on the Government benches who would so arrange the policy of the country as to protect its industries and give men a good day's wages for a fair day's work.

MR. COCKBURN said he had hitherto maintained silence during the discussion of the proposed trade policy brought before the House during the last few years. It was needless for him to explain the difficulties which he saw in the way of carrying out a policy to suit different interests and different sections of the country. The hon. member for Cumberland had already admitted that it was impossible to combine these interests in order to carry this out, but he went further and hoped to secure a majority at the general election to enable him and his friends to bring about the so-called National Policy. Hon. gentlemen opposite had had a majority in two Parliaments. In the first they passed this National Policy, and during the same Parliament abolished it, and never made another move in that direction. He should be very happy to see steps taken by which inter-provincial trade could be brought about. He did not take any particular interest in any section or in any particular branch of industry, and he had the most fraternal feelings towards members from the different Provinces, but, observing, as he had, the signs of the times and the teachings of experience, it did not require very much perception to see at once that the whole scheme that had been proposed was impracticable. Members representing wheat and flour producing districts had their own selfish policy. They desired to see duties imposed on bread stuffs, which members from mining districts voted against, while, at the same, they wanted duties upon coal. These different interests were conflicting. There were interests also besides the manufacturing, mining and milling interests—interests that could not be assisted by any imposition of duties—such as the lumber and fishing interests. In regard to those and also in the nearer sections of the country, the effect of these imports would be to increase the cost of developing the country and of carrying on the lumbering and fishing business of the country. It might not, perhaps, be quite in order to say that it appeared very much as if some of these policies which were proposed were put forward at this time more for the purpose of

MR. McCALLUM.

embarrassing the Government than for any other purposes, inasmuch that the very men who now proposed them had formerly voted to abolish what they now advocated. It was clear that the different sections of the country would not unite on this policy; therefore, it remained for Parliament and the Government to adopt a policy which would confer the greatest benefit on the greatest number, and that was the policy which this Government had been pursuing. He (Mr. Cockburn) had been perfectly unprejudiced in this matter. He was free to admit that the proposal of Protection was very fascinating to superficial thinkers who did not go thoroughly into the question, and was supposed to be a good stroke of party tactics designed with a view to catch stray voters; but he was sure, taking it all in all, that the present Government had had no other object in the policy which they had adopted than the general good of the country. Their predecessors had had an opportunity of introducing a different policy. They did so and then abolished it, and now brought it forward with a view of embarrassing the Government. Hon. gentlemen opposite had not now the same facilities for arranging for the coming struggle which they had in 1872. After abolishing the National Policy, they had the opportunity to jerrymander the constituencies, to arrange with a wealthy gentleman in Montreal, and select what returning officers they chose—one of the latter had to be brought to the bar of the House. He came down at a cost of \$40, and left with \$200 in his pocket from the contingent fund, and got an appointment in the Excise office besides.

Several Hon. MEMBERS: Order.

MR. SPEAKER: The hon. gentleman is not speaking to the question.

MR. COCKBURN said of course he bowed to the decision of Mr. Speaker. He did not think the industrial classes would appreciate the taxation of bread or fuel. They heard a good deal about slaughter markets. In regard to the iron interests, the foundry business, he thought it was easy to trace the depression to its real cause.

Some Hon. MEMBERS: Order.

MR. SPEAKER: I think the hon. gentleman has the right to show how a duty on coal will affect other interests.

MR. COCKBURN said the demand for machinery had increased very much. The trouble had been too much home competition, not the slaughter markets, or any policy of the Government. Manufacturing establishments had been multiplied throughout the country, and the consequence was over-production. They did not require to stimulate manufacturers to produce more than the country needed. He hoped that after a while circumstances might change so that their friends from the Maritime Provinces might be able to compete with American coal in consequence of the reduction of the cost of freight, better carrying facilities, and other causes which they could not exactly name just now; so that they might have a larger inter-provincial trade than at present. It was quite obvious that this so-called National Policy was being fairly exposed throughout the country. People were beginning to have their eyes opened. The other day he had heard of an old Tory campaigner saying "What is the use of this Protection cry? Let us have scandals, they are the things."

Some HON. MEMBERS: Hear, hear.

MR. BOWELL: You know that by experience.

MR. COCKBURN said he was free to admit that hon. gentlemen on the Ministerial side of the House had adopted the same tactics in past times, but none of them had gone to the extreme length of taking trips thousands of miles long in order to scent out some proposed job. He considered the present motion quite impracticable, and should vote against it. References had been made to the tea duties. He assented that the people throughout the country were quite satisfied with the tea duties. They had never had better or cheaper tea than at present. Some hon. gentlemen had argued against free trade, but there was no proposition before the House in favour of free trade. We had an incidental protection, which, taking it all and all, was the best for our circumstances.

MR. JONES (Halifax) said he could quite sympathize with the hon. members for Cape Breton (Mr. MacKay) and Inverness (Mr. MacDonnell) to have a question of this kind affecting an industry in which the people of Cape Breton were so largely interested, discussed before the Parliament of Canada. But they must see the difficulties involved in the consideration of a motion of this kind. They must see from the discussions which had taken place in this Parliament, that if a motion of this kind were entertained it must extend over the whole fiscal policy of this country. The hon. member for Cumberland (Mr. Tupper) had seemed anxious to make a point against the Government for the unswerving hostility, as he was pleased to call it, which they had shown to the coal interest of Cape Breton. He thought the hon. gentleman was more anxious to make a point against the Government than he was to forward the measure which he was professedly advocating. He thought the hon. gentleman could hardly point to any act of hostility on the part of this Government against the coal interests of Nova Scotia. They had dealt with that question on a broad basis, as they had dealt with all other questions. They had been obliged to consider it in a broad and national aspect, and to see how it was going to affect the greatest number of the people of this Dominion. They could not entertain a proposition to put a duty on coal alone or on flour alone, because those were sectional interests which were proposed to be fostered at the expense of the great body of the consumers of this country. The hon. member for Cumberland would remember, no doubt, when the present Government, in 1874, proposed a duty on ships' materials, no one was louder than he in denunciation of that policy, because he pointed out, and with some force, that it was a sectional tax applying to the people of the Maritime Provinces, who would have to pay it, while the people of Ontario and Quebec would not be called upon to contribute anything to it. The Government reconsidered the matter, though not particularly in view of the objections of the hon. gentleman, and con-

cessions were made which removed the cause of the objections which had been raised. The hon. gentleman was advocating to-day a precisely similar sectional tax. He was asking the House to affirm that it would be wise to put a duty on coal which the people of Ontario would be called upon to pay for the benefit of only a section of the Province of Nova Scotia. He (Mr. Jones) did not desire to underrate the importance of the Island of Cape Breton or of the mineral resources of the Province of Nova Scotia. They admitted that they were of very great value, but his hon. friend must know that a large section of Nova Scotia was not interested in the coal question.

MR. McDONALD (Cape Breton): What about the capitalists of Halifax.

MR. JONES said if they invested their money in that interest, they must take the same chance as if they invested it in other enterprises, and there were a great many enterprises which yielded them no better returns than the mines of Cape Breton. He regretted that these were not in a more flourishing condition. But if, gentlemen invested their capital in these industries they did so from other than patriotic ideas. They did so with a view of getting a good return, and if, unfortunately, they could not get a return it was to be regretted. The hon. gentleman said that, of course, the member from Nova Scotia, would vote for a proposition of this kind. He (Mr. Jones) very much doubted if they would. A large section of Nova Scotia was opposed to this tax. How, for instance, were Kings, Hants, Annapolis, Digby, Lunenburg, Antigonish and Guysborough interested, except in the way in which any county was indirectly interested in the prosperity of the whole Dominion? The hon. gentleman would lead the people to believe that the majority of people in Nova Scotia, were interested in the coal mines. So far from that being the case, the coal interest, though an important one, was not to be compared to the fishing or lumber interests of that Province.

MR. MacDONNELL: Are not all the people of Nova Scotia interested in coal mining, inasmuch as there is a royalty

MR. JONES.

on coal which goes to swell the Exchequer of the Province?

MR. JONES asked what this House had to do with that question. It was true that the more tons of coal that were raised in Nova Scotia the more money was paid into the exchequer of Nova Scotia. But there was more money invested in, and more profit derived from fishing pursuits than from mining pursuits. These gentlemen knew perfectly well that they never could get a duty on coal unless it was accompanied by an increase of the tariff all round. Reference had been made to a resolution passed by the manufacturers in Toronto. What was the meaning of that? Those gentlemen had been endeavouring for the last three or four years to bring a pressure upon this Parliament to increase the percentage upon manufactured goods. They passed a resolution the meaning of which was that they were willing to admit, a duty on coal, but they knew that that meant the increase of the tariff on goods in which they were interested, which would be more than an equivalent. These people who were promoting a tariff on coal would have more taken out of their pockets in the duties they would be called upon to contribute on other articles than the benefit which they expected to derive, though he did not admit they would derive it from the increased protection to the mines. There was nothing this Parliament could do in that direction which would not actually hamper such an industry as the large fishing industry of Nova Scotia. It was argued by hon. gentlemen opposite that in case of an increase in the tariff they would have a larger number of people to consume the goods; but he challenged the hon. gentlemen opposite to point out any way, directly or indirectly, in which the Government could benefit the fishermen at all. The catch they took from the sea was not consumed in this country, but had to go abroad, and yet these gentlemen representing a large body, asked Parliament to impose a large additional obligation upon the fishermen for the sake of a few people interested in coal. Then, in the case of lumber, they could not in-

crease the value of 1,000 feet of lumber by any duty imposed upon imported goods. Thus, so much as they increased the burdens on the producers of lumber and fish, they took from the hard earnings of those people and put into the pockets of others. Placed now in a position of greater responsibility than before, he (Mr. Jones) felt bound to exercise the greatest judgment and discretion in a matter of so much importance to the people of Nova Scotia; and looking at all the interests involved, looking at the different classes this would affect, he considered that it would not be for the interest of the people of Nova Scotia, as a whole, to impose this duty on coal, if it were accompanied as it must be accompanied, as hon. gentlemen opposite admitted it must be accompanied, by increased duties on other articles which these people were obliged to consume. The hon. gentlemen opposite had shifted their ground within the last few years. A short time ago there was a discussion in this House, and throughout the country, with regard to the question of Protection and Free-trade. The right hon. gentleman laid down a broad proposition in favour of Protection, and was ably sustained by many hon. gentlemen opposite. There had never been such an utter breakdown as had been exhibited by those hon. gentlemen last year in the discussion of that measure. They commenced with a policy of Protection, thinking they could persuade the people of this country that it would be in their interest to go for a protective policy; they believed there was something captivating in the idea of Protection, and, to a certain extent, that idea did obtain a lodging in the minds of the people. But they had commenced their game too soon. As soon as the people had time to reflect, after they had been instructed by members of Parliament and the Press, and had studied the speeches delivered throughout the country during these last two years, they realized the position in which hon. gentlemen opposite would have placed them. When these hon. gentlemen came back to Parliament they abandoned their policy, and asked only for a re-adjustment of the tariff. They abandoned the ground

they had taken when they first brought forward this measure, and merely asked now for a re distribution of the tariff. They knew very well they could not touch the question of Protection unless they advanced the cost to the consumer. If it did not, the man who had goods to sell would not get more value for them, and would be just as well off without legislation at all. When their policy had been subject to the criticism of the country, they found they had to change their ground, and they now proposed merely a readjustment of the tariff, and were not going to raise the price at all. The right hon. gentleman knew that a tariff was a system of compromise between different interests, that when he came to discuss the fiscal policy of the country, when he summoned all the gentlemen around him who had the responsibilities of recommending that policy to Parliament, they could not legislate with regard to small or sectional interests, but with regard to the general interests. The hon. gentleman had said we must adopt a retaliatory policy, that we could not get reciprocity with the United States unless we had something to offer. It was rather late in the day to lay down that policy. When this country had something to offer in return for free admission of coal into the United States, the right hon. gentleman neglected that interest, and he and his policy were responsible to-day to the people of Nova Scotia for the unfortunate position in which that interest was placed at present. When the right hon. gentleman was at Washington and that treaty was under consideration, it was on record that he was offered the free admission of coal, lumber and salt into the United States. And it was on record also that when the right hon. gentleman refused that arrangement, he had not the courage to hold out, when the Americans ultimately withdrew it, but was yielding enough, to use a mild expression, to give up the only inducements we had in our possession, namely our fisheries. The right hon. gentleman knew that when he parted with our fisheries, he parted at once and for ever, as long as the treaty remained in force, with the only hope this country had of securing reciprocal relations with the United

States. He did not wonder that the right hon. gentleman and his friends desired to divert public attention from the real merits of the question. It was natural that these gentlemen, feeling the false position in which they stood with regard to a measure of this importance, feeling that this country held them responsible for the position in which the lumber and coal interests and the interests of the country generally were placed, should seek by some side issue to divert public attention from their responsibility. All the speeches and motions of the right hon. gentleman would never take away the responsibility which attached to himself, his Government and his party, for having placed those great interests in their present unfavourable position. The hon. member for Cumberland had led the House to understand this evening, that the American policy of Protection had been so successful, that it was increasing their exports and driving all other countries out of the markets of the world. The hon. member was not always such a Protectionist. He took the hon. member for North Oxford to task for having changed his views during the past four or five years on this question. He (Mr. Jones) thought the House would admire the frankness with which the hon. member for North Oxford admitted he had changed his views on that question. The hon. member for Cumberland delivered a speech at Wellington in 1872, reported in the *Mail* of November, 1872, in which he contrasted the position occupied by the Dominion at that time, with the embarrassing position which they occupied previous to the entrance of the Maritime Provinces into Confederation. The hon. gentleman was reported to have said:

“He would now ask the electors, as he had a right to ask them, standing there as a representative of Nova Scotia, to look at the position the old Province of Canada occupied previous to the Union, with a high tariff of 25 per cent., with a rate of taxation which proved a most oppressive burden upon the people, unable, notwithstanding this high tariff, to pay its way, with the credit of the country impaired, with its finances embarrassed and the treasury nearly bankrupt, and to contrast that with the present condition of affairs when the whole country was prosperous.”

MR. JONES.

At this time, remember, the tariff had been reduced from 25 per cent. to 15 per cent. When these hon. gentlemen first entertained the proposition of the Union, they knew that the tariff of the old Province of Canada was so high that they never could induce the people of the Maritime Provinces to join them unless they reduced the tariff. The tariff was reduced from 25 per cent. to 15 per cent. The hon. gentleman and his colleagues went to London to negotiate the question of the Union, and were there met by the delegates of Nova Scotia, of which the hon. member for Cumberland was one. They were also met there by a deputation from the anti-confederates of Nova Scotia, who were opposed to the groundwork upon which the Union was proposed to be consummated. Mr. Adams, who was on the anti-Union delegation, wrote a pamphlet in London, taking the ground that the people of the Maritime Provinces were opposed to the Union with Canada because they had undertaken a protective policy; because, at that time the Maritime Provinces had a low tariff of 10 per cent., and the moment they joined the Union it would be raised to 15, and probably 25 per cent., as it was understood that it had been reduced to 15 per cent. only for political purposes and to carry Confederation. The hon. member for Cumberland was on the delegation, and had, as one of his associates, Judge McCulloch, who wrote a pamphlet in reply to Mr. Adams. That was the view taken by the right hon. gentleman and his colleagues, because the right hon. gentleman was there, guiding, no doubt, the discussion, and influencing, no doubt, the very document written in reply to Mr. Adams. When he bated his Confederation mouse-trap he had to use the best bait he could get.

SIR JOHN A. MACDONALD: I think my hon. friend is one of the biggest rats caught in the trap.

MR. JONES: Every argument possible had to be brought forward against Mr. Adam, and the principal argument used was that Canada having once gone back on its protective policy and on the protective traditions



of the country, would never return to them. What position did the right hon. gentleman and his colleagues occupy to-day? The hon. member for Cumberland had said, in his speech already quoted, that the 25 per cent. tariff, under which the people of Canada were suffering, until reduced to induce the Maritime Provinces to enter the Union, was a burden which the people could not sustain; and to night the hon. gentleman took the opposite opinion, and with the view of influencing public opinion and of displacing the present Government, endeavouring to raise the question of protection and sail into power under that policy. The hon. member for Monck (Mr. McCallum) said he was going to vote for this resolution, because it was a vote of want of confidence in the Government. He did not care what the duty, nor what was the principle involved; the only thing he considered was the object of displacing the Government, and that seemed to be the main object of the motion. The hon. member for Cumberland found fault with the hon. member for Cape Breton, because he said, frankly, and he was right in saying so, that he wanted to test the views of the hon. gentlemen opposite. The hon. member for Cumberland said he should have tested the views of hon. gentlemen on this side. Why, the hon. member for Cape Breton knew the views of the Government. They had dealt with this question as one which had been considered in the light of public policy as affecting advantageously the greatest number of the people of this country. In Nova Scotia, as the hon. member for Cumberland knew, they had a coal organization of which Mr. Lithgow a very industrious young gentleman of Halifax was secretary. Mr. Lithgow had written and published, and said a great deal in favour of the imposition of a duty on coal; but the hon. gentleman, he thought, would admit that in his published statements Mr. Lithgow laid down the proposition that if a duty on coal was accompanied with an increased duty on other articles, he did not want to have a duty on coal at all. This proposition was laid down most distinctly and authoritatively as the exposition of the views of the coal

owners of Nova Scotia; therefore, they would see that these were the views which those gentlemen took, and which were national from their point of view. They held that there should be simply a revenue tariff with respect to coal, the same as was done with regard to any other article of the kind. To show how inconsistent hon. gentlemen opposite were touching this matter, when they said that they favoured a duty on coal as a means of securing duties on other articles, he would mention the fact that the whole contention of these hon. gentlemen during those last two years had been that they must promote the manufacturing interests of this country. When the right hon. member for Kingston moved his first resolution the coal or mining interest was not mentioned in it all, and their whole contention had been that our manufacturing interests should be encouraged directly and indirectly by every possible means. But what would be the effect of the passage of this motion? It would be of no benefit to the people of Cape Breton, when, at the moderate estimate of 75c. a ton, and, at the same time, it would take three quarters of a million of dollars out of the pockets of the people of the Upper Provinces, a very large portion of which would be contributed by the manufacturers of Ontario and Quebec. This showed in what an illogical position these hon. gentlemen placed themselves in so arguing on a question of this kind; and how it struck at the interest which they were endeavouring to protect. One day they held that our manufacturers should be supported and the next day they favoured the imposition of a duty on an article which was necessary, in order to keep these manufactures in operation, and which policy must take money out of the manufacturers' pockets. There never was a greater contradiction in the terms, in the effect that such legislation would have upon an industry, if it would have any effect at all, than the policy which hon. gentlemen opposite advocated. Again, the question was whether this policy would send coal beyond Quebec or Montreal. At the present prices of coal in the United States, it would take more than a dol-

lar a ton to send coal past these places, and the people of Quebec and Montreal now got their coal from Cape Breton. These hon. gentlemen spoke at times, a great deal about the desirability and necessity of sustaining intimate trade relations, and preserving, intact, our relations with Great Britain; but they were now asking that a duty should be placed on coal coming from Great Britain for the benefit of our people, though we were indebted to the people of Great Britain for defending us and sending out their soldiers —

MR. MITCHELL: Oh, nonsense; don't talk about that.

MR. JONES said he begged the hon. gentleman's pardon. The hon. gentleman might not attach any value to this matter, but he must know that Great Britain protected us with her army and navy.

MR. MITCHELL: Pull down the flag.

MR. JONES said he did not wonder that the hon. gentleman was restive under these allusions, as he was asking the House to impose a duty against the very country which protected us, and of which we now formed a part.

MR. MITCHELL: The hon. gentleman says I am asking for the imposition of a duty against the productions of Great Britain. I have declared that I will vote against the motion of my hon. friend and I oppose it.

MR. JONES said the hon. gentleman stated that he would vote for it.

MR. MITCHELL: On the contrary, I stated distinctly that I was going to vote against it.

MR. JONES: Against it?

MR. MITCHELL: Yes; against it.

MR. JONES said he understood the hon. gentleman to say that he would vote for it as part of a general policy.

MR. MITCHELL: Not at all, I stated distinctly that I was going to vote against it.

MR. JONES said that his remarks then applied to the hon. member for Cumberland. The hon. gentleman must know that, no matter what duty was imposed on coal, a certain amount of it

would come out from England. Ships brought it out as ballast; they got it for a small amount and they sold it at Montreal for about what it had cost. Even if \$1 a ton duty was levied, this coal would not be kept out; ships must have a certain amount of ballast, and therefore, they would bring it out no matter what the duty was. The hon. member for Cumberland had read an extract from the British *Trade Journal*, to which he attached very great importance; but here was an article in this publication which bore directly on the subject under consideration. This article appeared last month, and was headed "Does Protection protect." After quoting from the article, the hon. gentleman said that if the ship-owners sent their vessels to Montreal to carry away the products of the west, and had not something to bring out as ballast, or that would in some way compensate them, and pay part of the expenses of the voyage, then he laid down this proposition, that the shippers or the owners of the produce must pay the whole expense of the round voyage; and, therefore, it came to this, that the producers of the agricultural products of this country, the farmers and every man who raised anything to send abroad, by these steamers and sailing vessels, would then have to contribute so much more in increased freight under the system which the hon. gentleman (Mr. Tupper) would have introduced here. They must see that if these vessels could bring out a certain amount of coal or any other cargo, this would pay a certain proportion of the expenses of the round voyage, and just as certain as effect flowed from cause, so would natural competition give a lower rate of freight for the products of this country which were carried abroad; and there was no way in which the products in this country could be more directly interested to advantage than by having their products carried forward at a low rate from our shipping ports in this country; and, therefore, the hon. gentleman would see that on equally high authority as that which he had quoted few moments ago, a doctrine was laid down entirely opposite to the one which the hon. gentleman had quoted with refer-

MR. JONES.

ence to this subject. He might go a little farther and quote from the same number an article on American exports which was far from corroborating the views which the hon. gentleman had read to the House a short time since. The hon. gentleman had read a quotation to show that the United States had largely increased their exports, and this article, published only last month, declared that the exports of the United States last year fell off 14 millions. It had been the fashion in the discussion of this question to point to the United States and their extraordinary prosperity. If such were the fact, why were people now trying to come back from the United States to Canada. These people had left this country while the right hon. gentleman was in power, in very large numbers; and they were said to be now in a starving condition, and seeking to return to this miserable country. He would like very much to know why it was, if that country was so highly benefitted by this system of Protection, and if it was such an Eldorado to live in, and if every man could get employment there, and plenty of it, at high wages, that these people desired to return? They were even urged by hon. gentlemen opposite to spend the public money, not only to induce these people to come here, but also to bring them back, because they were starving and could not live there, and to send them to the North-West, whither they were going at the rate of 1,000 to 1,500 a week.

SIR JOHN A. MACDONALD: From Ontario and Quebec.

MR. JONES said: Yes, and from the United States. A great many went from the United States to the North-West. A large proportion of those who proceeded to the North-West came from that country. The hon. gentleman would not deny it, he presumed, because they had it on the authority of the hon. member for Terrebonne only last year, that thousands of his countrymen in the United States were anxious to get back to the Dominion if they had the means of doing so. The hon. member for Terrebonne and his compatriots opposite held that the Government should expend the public money in order to bring these people back,

and stated that they were not making a living in that land so highly favoured by Protection across the line. If there ever was an argument in favour of the present fiscal policy, it was the argument supplied by these facts, and by the fact that these persons left the country when everything was inflated across the border, that country having gone through a long war, and issued a large amount of paper currency, and when wages were increased beyond what was natural and probable to continue, allured by the apparently high wages, but when the whole thing had exploded, and manufacturers multiplied under the protective system, and more goods were manufactured than they could sell, and they had protected themselves out of the markets of the world, then we saw the extraordinary exhibition of all these manufactories being closed, and these people who left Canada a few years ago, being thrown out of employment, were anxious to return. This was the position in which these two countries stood to-day; and there could be no more striking illustration of the advantage of the policy which this Government had pursued, during the time they had been in power, of making this a cheap country to live in so that we might attract immigrants to our shores. Hon. gentlemen opposite knew that when emigrants left the Old World, they naturally selected the cheapest country to live in, all other things being equal.

MR. PLUMB: The best country is where they get the best wages.

MR. JONES: But what was \$2.00 a day if it cost \$1.75 a day to live. It was the purchasing power of labour that was important, and the hon. gentleman knew that if the views which he (Mr. Tupper) and his friends had taken of our great resources in the North-West were correct, and he was bound to admit that there was a great deal in them, and he hoped that this venture would be crowned with success. We had fertile prairies and fields there for the settlement of an immense population, and the best inducement to immigration that could be held out to the people of the old country to come to this country,

was not only to show that we had a good track of country for settlement under a favourable climate, but also that the necessaries of life were not too high in price. In England, at the present time, expenses were being reduced as much as possible; and we knew that living alongside of the United States, it must be the policy of this country to show some illustrations of the advantage which people could obtain by coming across the border and settling in this country; and they were doing so, he was happy to say. Hon. gentlemen opposite might endeavour to mislead the people of this country with regard to the fiscal policy which the present Government had pursued and the policy of the United States. He was in a position to state that hundreds of people who had gone from Nova Scotia into the United States would be very glad to get back to this miserable Free-trade country if they had the means. No impartial man could, he thought, doubt that the arguments advanced in the various discussions with regard to the subject of Protection this Session, by gentlemen on the Government side, were unanswerable. Hon. gentlemen opposite had been compelled to come down from their Protection platform and seek a re-adjustment of the tariff. When the people of this country came to understand the question thoroughly—as, indeed, he believed, they now did—they would see that these hon. gentlemen had turned the matter into a party cry, and would not again put them in a position to interfere with the tariff for many years to come.

MR. MCGREGOR said that having heard the remarks of the hon. member for Cape Breton, he wished to give some particulars as to the cost of coal used in Ontario. In the State of Ohio, or at least the centre portion of it, coal was sold for 50 cents a ton, and for \$1.50 more it could be placed on Lake Erie to the shore of Lake Huron. This very excellent quality of coal, which compared favourably with that of Nova Scotia, could be bought in Toronto for \$3 a ton. The lowest tender made by parties in Nova Scotia to supply the Grand Trunk Railway with

coal was \$3.87 in the yard at Montreal, including 27c. for cartage, while the same quality of American coal could have been got for \$3.50. He had often seen coal tested, and his opinion was that there was no better soft coal than that of Centre Ohio. It would not, he thought, be judicious to place the proposed duty on coal.

MR. WALLACE said the coal referred to was the most inferior that could be found on the American continent. He (Mr. Wallace) believed the fishermen would be affected, because, if a duty were placed upon coal, an equal amount would be taken off some other articles. It could be taken off tea and sugar, and they would be able to get their teas and their sugars for less ratio similar to the amount taken off coal; and he apprehended that no one would say the fisherman paid a duty on coal, so it would not affect him. The fishermen and the people of the whole Dominion would obtain a benefit in this way. When they sent products to the sea, the difficulty was to get return freights. The Dominion owned the Intercolonial Railway, and, if they sent their products by the Intercolonial Railway, and had coal to bring back, the cost of running the Intercolonial would be lessened to the people of the whole Dominion. Again, they had millions of tons of coal in Cape Breton which were useless now; but, if they brought them to Toronto, and sold them for \$3 or \$4 a ton, they added that to the wealth of the Dominion, which would give employment to more people, and thus the people of the whole Dominion would be benefitted by the expansion of this coal industry in Nova Scotia. It was clear, therefore, that the hon. gentleman who said that only the owners of these coal pits would be benefitted, took a narrow and sectional view of the thing.

MR. CHARLTON said he desired to call attention to some statistics which had been offered by the hon. member for Cumberland, with reference to the effect that Protection had produced in the United States. The hon. gentleman had informed them that the exports from Great Britain to the United States, in the year 1876, were \$122,000,000, while in 1876 they were

\$98,000,000; and that the imports from the United States into Great Britain, in 1865, were \$84,700,000, and that in 1876 those imports had swelled to the enormous sum of \$367,000,000. These statistics required a little scrutiny, and upon subjecting them to that scrutiny, they would find that the deductions were not what they would appear to be on the surface. They were like some statistics which had been offered by the hon. member for Centre Wellington (Mr. Orton), where a comparison was drawn between the prices of produce, before 1860, in gold, and the prices, subsequent to 1862, in depreciated currency, which was often worth only 40c. on the dollar, gold. Imports into the United States, to the value of \$122,000,000, in 1865 would not represent \$98,000,000 worth of goods in 1876. If the United States imported \$98,000,000 worth in 1876, they imported a larger amount of goods than in 1865, when the value was \$122,000,000. It must be borne in mind that, in the period from 1865 to 1876, there had been a great shrinkage of prices. Then, in regard to exports from the United States to Great Britain in 1865, when the hon. gentleman informed them that the United States exported only \$84,000,000 worth to Great Britain, they must remember that that was at the expiration of a great and exhausting civil war. Fire and sword had swept over the portion of that country from which their exports of raw cotton were derived, and they had very little breadstuffs to export, because they had just disbanded a million men who had mostly been engaged in raising breadstuffs before the war. The exports of breadstuffs had, therefore, sunk to a very low figure. In 1876, they exported \$793,000,000 worth of raw cotton, while in 1865 they exported almost nothing. In 1876, they exported an unusually large amount of breadstuffs, food and petroleum. In 1865, owing to the fact that they were just emerging from the civil war, they exported almost nothing of those articles. This showed how utterly unreliable those statistics were, if the aim were to prove what the hon. member for Cumberland never could prove, that Protection had benefitted the United States. He would give the

House some statistics as to the imports and exports of grain in this country, which would show whether or not the farmer needed Protection. But before referring to that question he might be permitted to say that the resolution offered to-night by the hon. member for Cape Breton (Mr. MacKay) illustrated as forcibly as anything could illustrate, the utter absurdity of the Protection policy. Here was a resolution which standing upon its own naked merits was condemned by Protectionists upon the floor of this House, and which no Protectionist in this House, except those immediately interested in coal, would venture to justify; and yet this resolution, this policy standing upon its own naked merits, was no more absurd or unjustifiable than every single item of this Protectionist policy viewed one by one. The policy of a duty on manufactures was calculated to impose heavy burdens on the country for the benefit of a small class. The grain duty would tax the great people of this country for the benefit of a comparatively small class. He (Mr. Charlton) had been tempted at one time to introduce a motion similar to that of the hon. member for Cape Breton. There was a struggling industry in his riding. They raised corn there, and would not object to a duty of ten cents a bushel on corn; but they would not consent to it if it were coupled with a duty on other grains and on manufactures, because they would lose by such a duty, even if only two and a-half per cent. additional was levied on goods. Four years ago the hon. member for Cumberland (Mr. Tupper) who was now very much exercised as to the depression which existed as to the agricultural industry of the country, had entertained different opinions. Four years ago he spoke as follows:—

“The only interest which the Finance Minister pretended was suffering the slightest depression was the agricultural interest, and he (Mr. Tupper) would ask the great consuming population of this country whether they thought the agricultural interest was suffering? He thought they would give a decided response, without any hesitation, that the agricultural interest at this moment was enjoying a condition of prosperity second to none in the world.”

These were the opinions of the hon. member for Cumberland in 1874. How was it that the opinions of the hon. gentleman had undergone such a change during the subsequent four years? Were the agriculturists to-day in a worse position than they were in 1874? Were they requiring a measure of protection to-day which they did not require in 1874? No; they were not; and he proposed to show very briefly the utter absurdity of the imposition of a duty on grain for the purpose of enhancing the prices. Our imports of wheat, reducing flour to wheat at the rate of four and a-half bushels to the barrel, from June 30th, 1873, to December 31st, 1877, had been 44,807,027 bushels, valued at \$52,755,656. Our export during the same period has been 55,004,005 bushels, valued at \$69,290,06. During that period the balance of our exports of wheat over our imports had been 10,197,878 bushels in quantity, and \$16,544,369 in value. If we exported that vast surplus of wheat during those four years and a-half, what in the name of common sense, would have been the effect of a duty on wheat. It would not have been to raise the price here. We were regularly exporting a large surplus to England, and the price obtained in that country fixed the price not only in Montreal, but in New York, in Odessa, and in every wheat market in the world. Thus the only effect a duty on wheat could have produced in those years would have been to deprive the shippers, the commission men, the millers, and the labouring men of Canada of the employment and the gains arising from the handling of forty-four millions of bushels of wheat.

**MR. MACDONNELL:** The hon. gentleman is not speaking to the question.

**MR. SPEAKER:** I cannot myself see the connection.

**MR. CHARLTON:** I am bound to show the connection.

**MR. JONES (South Leeds):** Could not that wheat be just as well exported in bond through this country.

**MR. CHARLTON** said there existed between the transportation routes of Canada and the United States the

keenest competition. We had been engaged in enlarging our canals in order to give us a through transportation. Were we to impose a duty on grain, we could by no possibility devise a bonding scheme which would result satisfactorily, and the only result of such a duty would be to place such vexatious restrictions on our carrying trade as to seriously interfere with it. As to this duty on grain—

Several **HON. MEMBERS:** Coal.

**MR. CHARLTON** said that, for the last eleven years, the American farmers had been protected by heavy duties on grain. Why was it that, under those circumstances, after having enjoyed Protection for eleven years, those farmers were selling us their grain, and hon. gentlemen opposite were calling for Protection against them? If Protection could produce any such result as was anticipated, why had it not done so in the United States? That fact, itself, exploded that policy, showed it was an utter fallacy, and that a duty on grain could not have any effect at all. It was held, he believed, that the imposition of those duties would coerce the United States into granting more liberal trade relations, and he was coming to the consideration of the utter absurdity of this belief. A reciprocity of tariff would produce no effect, so far as the United States tariff was concerned, and would be most disastrous to ourselves. What did hon. gentlemen mean by reciprocity of tariff? The right hon. member for Kingston said it would secure reciprocity of trade. Hon. members would take, he supposed, the average rate of duties on our goods imposed by the United States, and apply it to goods imported by us. The average rate of duties which we imposed on the entire list of imports was 13 per cent., while the average rate of duty in the United States, on the entire list, was 26 per cent.; that was including all free as well as dutiable goods. Hon. gentlemen, therefore, meant that the burthens of the consumers in Canada should be exactly doubled; that we should increase the average rate of duties on the entire list free, and all from 13 to 26 per cent. If there were any meaning in reciprocity of tariffs,

**MR. CHARLTON.**

it had that meaning. Was it supposed that that policy could produce any effect in securing a modification of American trade regulations. On the contrary, common sense would lead them to suppose that it would lead to reprisals.

MR. MACDONNELL: I do not think the question of Reciprocity is in any way connected with the coal interest.

MR. SPEAKER: The present proposal is one for reciprocity of tariff, as far as it goes. The hon. gentleman is generalizing very much, and in my opinion, is going too far from the question before the House; but it is very hard to restrain the discussion.

MR. CHARLTON said that with respect to this question of coal, he desired to point out the absurdity of the expectation that a duty of 75c. per ton on Nova Scotia coal would lead to any large consumption of that article in Canada. The best Blossburgh could be laid down in Belleville at \$3.75 per ton. Nova Scotia coal could be laid down in Montreal at \$3.78. Bituminous coal from Ohio could be laid down in Toronto at \$3; and the best Pennsylvania coal could be laid down in Chicago at \$3.85.

MR. MACDONNELL: What is your authority?

MR. CHARLTON said the hon. gentleman could refute his statement if he pleased. He protested against the interruption of the hon. member. If this statement was true, how utterly absurd it was to believe that a duty of 75c. per ton would lead to the transportation of Nova Scotia coal from Belleville, west, in competition with those kinds of American coal. It would be imposing a tax on the country; and while it would be giving a very small advantage to Nova Scotia, it would add from 5 to 7½ per cent. on an average, according to the representatives of manufacturers, to the cost of goods manufactured in Western Canada; it would be a most unjust, injurious, and absurd tax. He would attempt to show that the duty on grain exported from Canada to the United States, was, in all cases, paid by the consumer, and he would take, as an illustration, the article of barley, because, if there was

one description of grain more than another on which a plausible argument could be constructed, that our farmers were not repaid the American duty, it was that article. In the last four years and a-half we had exported 37,215,000 bushels of barley, and received therefor \$28,732,600, while we had imported only 767,000 bushels, paying therefor \$376,000. In other words, we had exported 48 times more than we imported, and had received 76 times as much from what we exported as we had paid for what we imported. During the period of reciprocity we had received, on an average, 75½c. per bushel for barley.

MR. SPEAKER: The hon. member is discussing a question not at all relevant. He is opening up the whole question of Protection. If the House chooses to have that question reopened it could do so; but if the hon. member speaks on this question, I must permit every hon. gentleman to speak to every conceivable point involved.

MR. CHARLTON said his object was to answer some statements made by the hon. member for Cumberland concerning the effect of reciprocity during the period of Free-trade. The country received 75½c. per bushel for barley, and, since that period, it had received 78 and eight tenths cents per bushel, or 3¼c. more during the period when a duty of 15c. per bushel was imported on barley by the American Government than when barley was free. That exploded the idea that the producer paid the duty. He would close his remarks by again referring to the fact that this duty on coal, absurd as it unquestionably was, was not a particle more absurd than a duty on any single interest,—on manufactured goods, on grain, or in favour of the interests clamouring for Protection; and it was only when all those interests were combined in one resolution, that they had the slightest appearance of respectability or of plausibility. He would vote against this duty like the hon. member for Northumberland, but for different reasons from those he had stated. That hon. gentleman said his reason was that this was not part of a general plan. He (Mr. Charlton)

would vote against it because it was part of a general plan of which he did not approve—a general plan—every item and every feature of which was as objectionable as this duty upon coal.

MR. PLUMB said he was surprised to hear such a speech as that which had been made by the hon. member for North Norfolk (Mr. Charlton). He had challenged the consistency of his hon. friend the member for Cumberland (Mr. Tupper). In reference to that *tu quoque* argument he should only say that his own course hardly entitled him to raise any question of consistency. He (Mr. Plumb) had seldom heard a more ingenious argument than was used by that hon. gentleman in a certain speech he made on Protection, which was so conclusive that the hon. gentleman had never yet been able to answer it himself, though he had attempted to do so. The hon. gentleman had just stated that the consumer always paid the duty. He thought that fallacy had been exploded often enough. There was no doubt that the consumer paid the duty on imported articles which the country did not produce. But to tell him (Mr. Plumb) that the barley which was raised in Amherstburg or Windsor, and was sold in competition with the barley raised on the other side of the Detroit River, did not pay the 15c. per buchel duty, and the expense of carrying it across, was to tell him what no Amherstburgh farmer believed, and he gave the hon. gentleman credit for too much intelligence than to think he believed it himself. The hon. member for Essex (Mr. McGregor) had given a schedule of prices at which coal could be delivered in Canada. An hon. gentleman who was perfectly acquainted with the prices of coal in the States, had informed him that this schedule was not entirely correct. He did not accuse the hon. member for Essex of having made an incorrect statement, but he placed against it that of an equal authority. Coal of the best quality could not be delivered in Toronto at less than \$5 to \$6 per ton. It was no argument to quote the price of coal entirely inferior to that under discussion. The speech of the hon. the Minister of Militia was

entirely deficient in argument. It was the oft-repeated speech of Nova Scotia's wrongs and difficulties, and was marked only by its utter irrelevancy to the matter in hand, and its utter want of logical connection. He wanted to make Canada a cheap country; but, was that a cheap country where there was scarcity of employment? A cheap country was where a man got a good day's wage for a proper day's labour. It was mockery to talk to a starving man about low prices, and there was no policy which could tend more to reduce the people to that state than that pursued by the Government. Then there was the spectacle, certainly an amusing one, of the hon. member for North Oxford, stating that a few years ago, when he was an ingenious youth of fifty summers, he had brought in a tariff resolution, but that he had then had no experience and did not know the mischief he was doing. But he was no tyro then, and his attempt now to excuse his course then, on the ground of inexperience, must afford amusement to every one who has listened to the arguments brought forward. He said the manufacturers brought such a pressure that they actually misled him, and that, after the experience of twelve months, the measure gave great dissatisfaction. The circumstances when the hon. member for North Oxford brought in his resolution, and the circumstances to-day, were so widely different that no comparison could be made between the two periods. Up to the Fall of 1873, the great question which had been agitated since then, the question of Protection, had not been pressed upon the country. For years Canadians had been selling the Americans everything, owing to their system of inflation, and they could sell nothing in return. Everyone who knew anything of the condition of the country knew that this was an utter fallacy, and no gentleman should make the argument which was made by the hon. members for South Waterloo and North Oxford and a host of other hon. gentlemen on the other side of the House; though he gave them the credit of supposing that they did not use this argument with any sincerity, for it was perfectly apparent that the condition of things

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in 1873-4 and now was entirely different, as, at the present time, this country was made a slaughter market for American goods. No comparison could be made between these periods. This resolution was introduced by a faithful, and he might almost say a servile follower of the Government, and his whole career in Parliament.—

MR. MACKAY (Cape Breton): If the hon. gentleman refers to me, I hurl the statement back as ungentlemanly, and improper, and out of place.

Several HON. MEMBERS: Order.

MR. SPEAKER: The hon. member is out of order, and the hon. member for Niagara used an unparliamentary expression when he spoke of the hon. gentleman as being a servile follower.

MR. PLUMB said the hon. gentleman had supported the Government with such great faithfulness, and in such an unreasoning manner, that, with full knowledge of the great interests of the country he represented that were at stake, he (Mr. MacKay) had uniformly voted down every proposition which had been brought up by the Opposition touching the questions which most vitally concerned the hon. gentlemen and his constituents. The hon. gentleman had afforded one of the most remarkable spectacles of subserviency to the party in power by the course he had pursued in this House since he (Mr. Plumb) became a member of it, and this hon. gentleman now, at the eleventh hour, and in a moribund Parliament, about the time when he had to render account to his constituents, brought forward this resolution as a sort of death-bed confession, which he trusted might be acceptable to his constituents. Members of the Opposition, consistent with their professions, would support this resolution as they knew that it was only the part of a great scheme. But it would not find favour on the other side of the House, and members of the Opposition would affirm a principle in which they all believed, by supporting this resolution, perhaps a great deal to the hon. gentleman's astonishment. The hon.

gentleman had brought it forward for purposes best known to himself. Did he suppose for one moment that it could find favour at the hands of the Government, which he (Mr. MacKay) had supported so sedulously. The hon. gentleman's course was apparent to everybody; he had never dreamed of such a thing as the success of this motion, he had offered it for an entirely different purpose which he (Mr. Plumb) would not characterize. Members of the Opposition wished it to be understood distinctly that this motion did not all meet the question which they advocated, it was only part of a great scheme, and it could not stand by itself. No doubt every hon. gentleman who entertained the same views with himself would support the resolution though they were not guided and could not be guided by any particular party necessities or party affiliations, while so acting.

MR. CAMPBELL said that when he read this resolution he had concluded that it was only a farce. When he entered the House, three years ago, he was inclined to support the party in power; they had professed such purity and reform principles that he was really led to believe that they were in some degree sincere, but he was not here many weeks before he came to the conclusion that the Government was incapable of properly steering the ship of State, though they might do very well in a small boat. This ship was too big for these hon. gentlemen. He was not long in the House before he applied to the hon. member for Cape Breton (Mr. MacKay), to bring up this coal question; but the hon. gentleman backed down, and would give him no help. He had concluded that the Government had no policy but that of expediency. They had no direct course or compass; they only drifted, the ship was too large for these hon. gentlemen. They might do well enough in a barge on the lakes, but at sea they were utterly at a loss. The hon. gentleman opposite had opened up a large field for discussion.

SIR. JOHN A. MACDONALD: It is much larger than a coal field.

MR. CAMPBELL said that the Government were willing to annoy the country with the Stamp Tax, which was most annoying to business men, and other imposts, but they were not inclined to assist in encouraging and developing the industries of the country. They refused to put a duty on coal, and to protect the country's interests, but they were willing to raise a revenue in the most obnoxious and disagreeable manner possible. The Government that would allow American coal to come in free of duty, and that would kill our own industries, ought not to be permitted to remain a day longer in power. Besides, they brought in Russians and Mennonites who refused to defend the country in which they lived. No country had attained eminence unless it possessed coal. This was a most important interest and it should be encouraged. He had voted for the protection of breadstuffs; he was one of 29 in 280 gentlemen, and this was the proudest vote that he had ever given in his life. The Government should pass laws and regulations for the benefit of the whole population; sectional interests should not prevail. They should remember that they were founding a country for posterity, and they should sacrifice their private interests for the common and public good. One section said "We will not use your coal if we can get it cheaper elsewhere." Was that an argument that should be used in this House? No. He was anxious to protect his neighbour's flour, oats, barley, cheese, tobacco or any other production from the encroachments of foreigners. He must say, then, that the Premier had done wrong to surround himself with men who were unable to form a proper opinion with regard to this subject. These men had no brains, they did not possess one inch of human nature, and the Minister of the Interior in particular, was unfit for his position. What had been the result of the policy adopted by these gentlemen during the last four years? The country had almost become insolvent. The Province which he came from was bankrupt now. These gentlemen paid no attention to the wants of the country. They said "We don't require to listen to these people, we can buy constituen-

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ties and we can tax you; we can give so many thousand to this or that man." But that policy must come to an end. These gentlemen were antagonistic to the interests of the country, but they must be brought to a sense of their duty.

MR. BLAIN: I rise to order. The hon. gentleman is not speaking to the question, and this sort of language ought not to be tolerated.

MR. SPEAKER: The hon. member for Victoria has asserted, as I understand him, that it is essential for the prosperity of this country that a protective duty should be placed on coal. It is true he has repeated things a great many times, but still his arguments are as relevant at one time as at another. He has certainly used expressions towards a member of this House which may be rather unparliamentary, but I thought it as well to let him go on.

MR. CAMPBELL said he only wished to point out that the fact of the hon. member for Cape Breton, having voted against similar resolutions to his own, proposed by the Opposition, showed that the policy of the Government was one of expediency

MR. DYMOND said that having, at an earlier period of this Session, discussed this question at some length, he simply rose to make a reply to the remarks which had fallen from the hon. member for Essex, and other speakers. It was, he admitted, a matter of considerable difficulty to ascertain the comparative prices of Nova Scotia and American coal. In speaking of the price of coal, it must be borne in mind, too, that the ton of Nova Scotia coal was what was called the long ton of 2,240 lbs., while the American ton was equal only to 2,000 lbs. It, therefore, became of importance to ascertain the precise value of the same quality of coal delivered at two different points by Nova Scotia and American coal mines respectively. While discussing, too, the value of Nova Scotia coal at such points as Toronto and Hamilton, the large area of country to the west where the consumption of coal was largely increasing, and where, geographically, the

supply was much more easily obtained from American than Nova Scotian sources, must be borne in mind. Last year a contract was made by the Grand Trunk Railway Company for a supply of coal at various places, notably Montreal and Toronto, and the results were set forth in a speech which he held in his hand. Tenders for Nova Scotia coal were accepted by the Railway Company for Montreal, at \$3.96 per long ton on the wharf, or, adding 27 cents for cartage, to \$4.23 in the yard. In Toronto a tender for American coal was accepted at \$3.40 per short ton in the yard, or \$3.78 per long ton, being a difference, in favour of the United States coal, of 45 cents. Then, the cost of conveying coal from Montreal to Toronto would not, he thought, cost less than \$1.50 per ton, which, of course, must also be taken into account. Under ordinary circumstances it would be \$2. That applied to coal delivered at Montreal, Toronto, or Hamilton only. It did not apply to the large quantity of coal which would be consumed if Nova Scotia coal could be obtained west or north-west of those cities. That seemed to be conclusive as to the fact that 75c. a ton would not allow Nova Scotia coal to be laid down in the west, and if that would fail to bring Nova Scotia coal to Toronto or Hamilton, 50c. a ton would be less efficient.

Mr. PLATT said his constituents were much interested in the coal question. A large quantity of coal was consumed in Toronto. The depression in the United States had reduced the price of coal a great deal. In previous years the price of coal had been \$5 or \$6 a ton, and sometimes \$7 a ton. The usual price, last year, in Toronto had been \$5 and \$5.25, and this year it was much lower. These gentlemen from Nova Scotia wanted protection to coal, though they claimed to be Free-traders. This was very selfish. He (Mr. Platt) was willing to place a duty on coal when they got a reconstruction of the Tariff, such as was proposed by his hon. friend from Kingston, but he should vote against this selfish proposition. These gentlemen were looking to get the votes of their constituents, and wanted to be able to say that they

had brought forward a proposition to put a duty on coal. They ought to be ashamed of themselves. The people of Ontario were willing to put a duty on coal if they could get a readjustment of the Tariff.

SIR JOHN A. MACDONALD said he took the opportunity a day or two ago to say to the hon. gentleman at the head of the Government that he was ready to assist him in getting as much business through the House as rapidly as possible, but he might have made no such promise, as the majority, at least, did not seem wearied, and were apparently anxious to keep Parliament for some time longer. The Minister of Militia reopened the question of Protection that had been discussed for a week or more on the speech from the Throne, and also on his (Sir John A. Macdonald's) motion, and certainly he had not added anything to the stock of information on the subject. However, if hon. gentlemen opposite were determined to have the question discussed again they could have it discussed. The Minister of Militia had also tried to lead away the House from the discussion immediately before it. The reason of that was that he was in a difficult position. In the first place he was a Nova Scotia member, in the next place he was a member of the Government, and in the last place he was a member of Halifax; and, therefore, he had thought it well to fly away from the subject before the House and to open up the whole question. He (Sir John A. Macdonald) would not follow him into his discussion of the Washington Treaty, a matter which was settled, but would just refer to his statement that the policy of the United States was injurious to its trade, indeed, that it was so injurious that hundreds of thousands of people were leaving the country and flocking to Canada. He (Sir John A. Macdonald) thought the hon. gentleman, and he was not then so much fettered as he was now, in a communication to Sir Francis Hincks used these words:—

“Again, you are no doubt aware that the American Government, always alive to the interests of their people and all that relates to the prosperity of their country, have recently passed a Treasury order increasing considerably the drawback on white refined

sugar, the result of which has been that the great bulk of that quality of sugar now in use in Canada comes from that quarter, etc. Hence it follows that if our trade is to be encouraged or sustained, such exceptional legislation must be met by corresponding legislation on our part."

MR. JONES (Halifax): Hear, hear.

SIR JOHN A. MACDONALD: And this is the retaliatory policy the hon. gentleman speaks of.

MR. JONES: Exceptional.

SIR JOHN A. MACDONALD: Exactly, that is exactly the policy of this side of the House. So long as there was such a policy obtaining in the United States the people of this country must take means to meet it. Canada must be, in the words of the Minister of Militia, "always alive to the interests of our people," and take steps to protect the people against a policy which was injurious to their interests.

MR. JONES (Halifax): Hear, hear; I quite agree with the hon. gentleman.

SIR JOHN A. MACDONALD: However, he wished to say a few words with reference to the motion before the House. The hon. gentleman who moved it, did not pretend to assume that he moved it in the interests of Nova Scotia. He did not pretend to say that it was in the interest of the coal owners. On the contrary, it was moved, as the hon. gentleman admitted, for the purpose of trying what metal the leader of the Opposition was made of, with a view to testing his sincerity; and in order to put him, as the hon. gentleman thought, in a false position, he was willing to make a motion at the wrong time, in the wrong way, and with the knowledge that he was going to accumulate against the interest which he professed to represent, probably the largest vote which would be given in this House on this question. He, a very obsequious, a very continuous, and a very humble follower of the Government, was to make himself the means of accumulating against the coal interest the vote of the whole Liberal party, the whole of the Ministry, and to bring down upon himself by his motion the statement by a Nova Scotia member, and a

SIR JOHN A. MACDONALD.

member of the Ministry, that his motion was absurd, and the consequences would be disastrous to the country. He (Mr. MacKay) would go down to his constituents, and they would know that he brought the motion up for party purposes, and for the purpose of destroying or prejudicing the chances of the coal owners to get the relief they wanted. He (Sir John A. Macdonald) would like to be near when they met him.

MR. MacKAY: You would receive a very warm reception.

SIR JOHN A. MACDONALD said he had no doubt he would receive a good reception if he went down. The hon. gentleman had studiously set every other interest against the coal interest. In voting against his (Sir John A. Macdonald's) resolution, which supported the protection of all interests, he had voted to set every interest against him. He had voted to set the whole of Western Canada against it by voting against a duty on wheat and flour, and to set all the rest of Canada against it by voting against a duty on corn and oats, and no doubt his constituents knew it. He prepared his motion with a view to preventing as many as possible from voting for it. The coal owners only asked a duty of 50c. a ton, but he asked 75c., in order to shock the Western people, who were consumers of American coal. Then he made it a duty on all kinds of coal, although there was no anthracite coal in Cape Breton, and the coal owners were quite willing to accept a duty of 50c. a ton on bituminous coal.

AN HON. MEMBER: No.

SIR JOHN A. MACDONALD said of course they would be glad to have a duty on anthracite coal as well, but they would be quite satisfied with the minor duty. He (Sir John A. Macdonald) would be quite justified in voting against his resolution, but he was going to vote for it.

MR. MACKENZIE: That is against your argument.

SIR JOHN A. MACDONALD said he had two reasons for voting for it—a trade reason and a political reason. The trade reason was, that it was a step

in the right direction of the policy the Opposition had been urging. He would vote for it because it was a part of that policy which was being brought up piecemeal by the supporters of the Government. Suppose they should carry a duty on coal, then when Protection to manufacturers was proposed, the representatives of the coal interest would be compelled to vote for it, because if they did not the Protection they had would be repealed. The political reason was, that the Premier had declared all the votes on motions of this kind to be votes of want of confidence. When he (Sir John A. Macdonald) introduced his resolution, he (Mr. Mackenzie) called it a want of confidence motion, and, as a consequence, the Ministerialists were whipped in, the whip sounded through the House, the studs sprang to the collar, and many were converted, including the hon. members for North Norfolk and North Oxford. Notwithstanding that, four, who ordinarily supported the Government, were not converted, and they voted want of confidence—Messrs. Brown, Coupal, Macdonald (Cornwall), and Robillard—and it was only right to say that any one who voted want of confidence had not regained his confidence in the Government until he was converted. So that these gentlemen, in justice to them, it should be said, still had no confidence in the Government. Then there came afterwards a motion for the member for West Hastings and the member for East Durham, who also proposed a vote of want of confidence in the Government because the Premier would not put a duty on wheat. There were six Ministerialists who voted want of confidence in the Government on the resolution proposed by the member for Iberville (Mr. Bechard) to protect coarse grains. The House did not know how many Ministerialists would vote for the present resolution, but it was certain the mover and seconder and the hon. member for Richmond (Mr. Flynn) would. There were three. Altogether there were ten who had voted against the Government. The Government had a majority in the first Session of eighty-six votes. On the question of policy raised under his resolution, they had a majority of thirty-seven, and all remembered what

an active whip had been used to get that majority. Of those thirty-seven there were now ten who reversed their views and were about to declare, at this moment, a vote of want of confidence in the Government, and those ten would count twenty on a division; therefore, the Government had a majority, on this individual vote, of seventeen. So that on the trade of policy, the tariff policy of the Government, the strong majority of eighty-six would stand, after this vote, only seventeen. That was a triumph for the Opposition, and foreshadowed the result at the approaching elections. Why did these gentlemen, who ordinarily supported the Premier, now vote against his policy? Because the pressure of their constituents demanded this vote from them. Anxious as they were to support him, they felt constrained to vote either for his (Sir John A. Macdonald's) motion, or for the motion on wheat and flour, or the motion on coarse grains, or the motion on coal.

MR. JONES (South Leeds) said the hon. member for North Oxford (Mr. Oliver) had stated that Mr. Fraser, the Secretary of the Manufacturers' Association, who was a Reformer, was a body-servant of the right hon. member for Kingston, and that the meeting of that Association, held in Toronto, had been called together by Mr. Fraser going around to different towns and nominating gentlemen to attend it. Both of those statements were totally unfounded and incorrect. With regard to the meeting itself, the hon. gentleman said it consisted of a miserable few of fifty. That meeting was attended by delegates who had been elected by the different Associations throughout Canada, from Montreal to Sarnia, and who represented every shade of politics; and the resolutions were passed unanimously. He, as an Ontario manufacturer, was ready to place the duty on coal which a readjustment of the tariff would require, but could not give his support to this specific motion for a duty of 75c. per ton.

MR. KERR said, as a representative of Ontario, he entered his solemn protest against this resolution. He did

not see why the people should be taxed 50c., 75c., or \$1 per ton for the benefit of a few people interested in coal mines in Nova Scotia. The right hon. gentleman said he would vote for this amendment, because it was a vote of want of confidence in this Government. Did the hon. gentleman mean to tell the House and country that this was to entitle them to the confidence of the country, for this was a tax which the people did not want, and would not have; and this policy did not entitle the Opposition to the confidence of the country. He would have very great pleasure in aiding, by his vote, the Speaker to announce that this amendment had been carried in the negative. If they had time they would see the whole circle of the trade relations comprised in this wretched National Policy taken up one by one, and shown to be a complete circle of absurdities. There were a great many manufacturers in his part of the country and in Ontario, who were beginning to find out the meaning of this tax on coal; and the right hon. gentleman would find that this tax had done very much, even in the minds of manufacturers, to shake the confidence that they were disposed to have in the right hon. gentleman's so-called National Policy. The right hon. gentleman and his followers knew and felt that they had an elephant on their hands, and he wished them luck with it. As a representative of an Ontario constituency, he wished to enter his solemn protest against the result sought to be fastened on the people of this country by this amendment. He did not care who moved it; to pass it would be unwise and unjust, and he had no doubt that it would share the fate of what the right hon. gentleman had called the first step in his National Policy. They would now take another step in this relation.

MR. MACKAY: Mr. Speaker —

HON. MEMBERS: Question, order.

MR. MACKAY: I crave the indulgence —

MR. SPEAKER: The mover of the amendment has no right to address the House a second time, unless the House chooses to indulge him.

MR. KERR.

MR. MACKAY: Mr. Speaker —

Several HON. MEMBERS: Order.

MR. SPEAKER: As the House is so very strongly disposed not to hear the hon. gentleman, I cannot permit him to speak. Call in the members.

MR. MACKAY: Mr. Speaker —

MR. SPEAKER: The members are called in and no hon. member has a right to address the Chair.

Amendment (Mr. MacKay, Cape Breton) *negated* on the following division:—

YEAS :

Messieurs

Bourbeau,	MacKay (Cape Breton),
Bowell,	Macmillan,
Bunster,	McCallum,
Campbell,	McInnes,
DeCosmos,	McQuade,
Dewdney,	Orton,
Ferguson,	Plumb,
Flynn,	Robinson,
Gibbs (North Ontario),	Schultz,
Haggart,	Thompson (Cariboo),
Little,	Tupper,
Macdonald (Kingston),	Wallace (Norfolk),
McDonald (Cape Breton),	White (East Hastings),
MacDonnell (Inverness)	—27.

NAYS :

Messieurs

Appleby,	Huntington,
Archibald,	Hurteau,
Aylmer,	Irving,
Baby,	Jetté,
Bain,	Jones (Halifax),
Barthe,	Jones (South Leeds),
Bécharde,	Kerr,
Benoit,	Killam,
Bernier,	Kirk,
Bertram,	Lajoie,
Biggar,	Landerkin,
Blackburn,	Langevin,
Blain,	Langlois,
Blake,	Lanthier,
Bolduc,	Laurier,
Borden,	Macdougall (East
Borron,	gin),
Bourassa,	McDougall (S. Renfrew),
Bowman,	McDougall (Three Riv-
Brooks,	ers),
Brouse,	Mackenzie,
Brown,	McCarthy,
Buell,	McCraney,
Burk,	McGregor,
Burpee (St. John),	McIntyre,
Burpee (Sunbury)	Malouin,
Carmichael,	Metcalfe,
Caron,	Mills,
Cartwright,	Mitchell,
Casey,	Monteith,
Casgrain,	Montplaisir,
Charlton,	Norris,
Cheval,	Oliver,
Christie,	Quimet,
Church,	Paterson,

Cockburn,	Perry
Coffin,	Pettes,
Costigan,	Pickard,
Coupal,	Pinsonneault,
Currier,	Platt,
Cuthbert,	Pope (Compton),
Daoust,	Ray,
Delorme,	Richard,
De Veber,	Ross (East Durham),
Dugas,	Ross (West Middlesex,
Dymond,	Ross (Prince Edward),
Farrow,	Rouleau,
Ferris,	Ryan,
Fiset,	Rymal,
Fleming,	Scatherd,
Flesher,	Scriver,
Forbes,	Shibley,
Fraser,	Short,
Fréchette,	Sinclair,
Galbraith,	Skinner,
Geoffrion,	Smith (Peel),
Gibson,	Smith (Selkirk),
Gillies,	Smith (Westmoreland),
Gillmor,	Snider,
Goudge,	Stephenson,
Greenway,	St. Jean,
Guthrie,	Taschereau,
Haddow,	Thompson (Haldimand)
Hagar,	Trow,
Hall,	Wallace (Albert),
Harwood,	White (N. Renfrew),
Higinbotham,	Wood,
Holton,	Yeo,
Horton,	Young.—135.

House again *resolved* itself into Committee of Supply.

#### XI. MILITIA.

78. Mounted Police N.W.T..... \$306,000

**SIR JOHN A. MACDONALD:** Considering the enormous reduction made by the Government in this vote, seeing that it was last year \$306,356.50, and is now \$306,000, showing a saving of no less a sum than \$305.50, I think that we cannot press an amendment; and so we will allow the vote to pass.

**MR. TUPPER** said he, last year, had brought to the attention of the Government the case of a mounted policeman who was killed in the discharge of his duty, and the Government had undertaken to see that the land to which this man would have become entitled had he lived a very short time longer, or its equivalent, would be conveyed to his relations.

**MR. CARTWRIGHT:** I am informed that compensation to his mother is about to be recommended by the Secretary of State.

**MR. MITCHELL** said he desired to have some explanations about this item. This force was composed of

320 men, who each cost about \$1,000 per annum. The thing was outrageous. The general impression was that a great deal of extravagance was shown in connection with this service.

**MR. CARTWRIGHT** said, no doubt the hon. gentleman was perfectly correct in saying that the cost was very great. The cost of such a force sustained, as it was, over a country about 1,200 by 400 miles, at eight or nine separate points, and supplied at a great distance from the base of operations or supplies, was necessarily very great. The hon. gentleman would also note that this being a mounted force, the expenditure was necessarily very nearly the double of what would be required if it was composed of infantry; and also that they could not get suitable men to enter this force, to go into that country where the service was laborious, and might be attended with some danger, without paying them tolerably handsomely. Their equipment was also, necessarily, somewhat expensive. The other items to which exception might be most reasonably taken, appeared to be those of rations and forage, which amounted to nearly \$100,000. They had hoped to reduce these items; but at present owing particularly to the very high rate at which forage was supplied, they could not expect, during 1878-9, at any rate, to look for much reduction. Round several ports at which these men were stationed, land was being gradually brought into cultivation both by troopers and settlers, and in the course of two or three years, they trusted that sufficient land would be under cultivation at these spots to supply the wants, at any rate, of the cattle. They were gradually reducing the price of the rations. The hon. gentleman was probably aware that the expense of transport in that country was very great. Oats for instance, cost five cents a pound, equal to \$1.50 or \$1.60 a bushel, and expenditure of this kind would, of course, swell the keep of every individual horseman to a very considerable extent. So far as they were able to ascertain, the expense per head of this force, large as it appeared, was very nearly one-third per man less than that of the American troopers

stationed at similar posts on the opposite side of the frontier, not taking into account any special expenditure on account of the Indian disturbances. The head-quarters of this force was at Fort McLeod; the next most important station was Fort Walsh, in the vicinity of the place where Sitting Bull and his band were stopping; attached to Fort Walsh were two or three out posts, and there was, besides, a part of the force at Battleford, Swan River and Shoal Lake, and a small force at Qu'Appelle, and at Fort Saskatchewan. In all there were eight or ten such posts. It was probable that during the next summer it would be necessary to mass a considerable force at Fort Walsh station, in consequence of a number of Indians who had settled in that vicinity, or were crossing the line.

**MR. SCHULTZ:** I would like to ask the total number of Mounted Police.

**MR. CARTWRIGHT:** There are 330 men with, of course, the same number of horses. A small number of women and children are also attached to the posts, but the policy of the Government is to have as many unmarried men as possible.

**MR. MITCHELL** said the expense incurred in connection with this service was extraordinary. On turning to page 115 of the Public Accounts, he found that the clothing of the men cost \$100 per head. Then at page 117, he found an enormous amount charged for transport of stores; one item alone amounting to \$25,965. He noticed that 20 loads of hay were charged \$20. Now, he would like to know how many loads were represented in the \$62,425 set down for oats and hay.

**MR. CARTWRIGHT** said the charges were necessarily large, when it was considered that oats cost as much as 5 to 7c. a pound in the North-West. The expenditure for hay hitherto had amounted to about \$15 per ton. Hon. gentlemen were mistaken when they supposed that hay could be grown in unlimited quantities on the prairies, near the point where the force were stationed. A considerable area of land round two or three of the forts was being put under cultivation.

**MR. CARTWRIGHT.**

**MR. MACMILLAN** said that the men could cultivate as much as should supply forage for the whole of the horses, and food for the men during one year, unless some unforeseen circumstance, such as the appearance of grasshoppers, occurred. In fact the expenditure for this department should consist of nothing more than the pay of officers and men.

**MR. CARTWRIGHT** feared that was taking too sanguine a view of the case. It was desirable that a reasonable amount of land should be cultivated, but it must be remembered that the forces sent to the North-West had very responsible duties to perform, having 1,500 or 2,000 Indians under their special charge, and they could not be expected, therefore, to do much farming.

**MR. BOWELL** asked if any farming land had been sowed by these men hitherto and had proved a success?

**MR. CARTWRIGHT** said the produce for two years was completely destroyed, but during the current year some crop was obtained.

**MR. BOWELL** said he understood the difficulty of this question. There could be no doubt that, with the very onerous duties which they had to discharge, the Mounted Police could not devote much time to farming. The only point seemed to be, whether farming should not be carried on in the neighbourhood of the posts by men exclusively employed for that purpose.

**MR. MACKENZIE** said last year the Mounted Police in the neighbourhood of Swan River were supplied from a farm there with oats at a dollar a bushel, and hay at seven dollars a ton.

**MR. BUNSTER** said that the sooner the Canadian Pacific Railway was built the sooner would this expenditure be done away with. He was surprised to find so large an amount asked for this service. After an experience of three years, the Government ought to be able to raise oats at the mere cost of raising them, three-fourths of a cent. per lb., which would pay any farmer. It was said that the officers had onerous and dangerous duties to perform. They had no more onerous duties than to raise their own



vegetables and provide for their cattle and themselves; but the great duty which the Government had to perform was to build the Canadian Pacific Railway.

MR. THOMPSON (Cariboo) said he was rather surprised to hear some of the remarks of hon. gentlemen who ought to be better informed as to the cost of keeping men and horses in countries like the North-West. He had had some experience in this matter, and he considered that to keep 330 men with their horses for \$306,000 a year was very cheap. It was only \$450 a head for a man and a horse. He thought the force was underpaid rather than overpaid. He hoped the day was not far distant when the railway would be built, and there would be no occasion for that force; but, in the meantime, while they had thousands of Indians to deal with, who might, perhaps, be friendly, it was absolutely necessary that they should have some force to preserve good government in their territory. In case of an Indian war, the amount of \$306,000 might have to be multiplied ten times. There might be items in connection with which extravagance took place. It was very likely that there would be speculations and rings formed for furnishing fodder and other things, but while hay was only costing them \$15 per ton, he was accustomed to pay \$100 per ton for a good quality of hay. On the whole, he thought it was absolutely necessary that this force should be kept in proper order, and should be well paid to do their work. If a policeman had to ride many miles to put down an Indian raid, his horse must be well fed. These gentlemen, like the hon. member for Northumberland (Mr. Mitchell), who lived down by the sea, knew nothing except what related to fish and coal. He thought the item should be passed unanimously.

MR. MITCHELL said the hon. gentleman had based his argument on the idea that they were dealing with expenditure in the mountains of Cariboo, instead of the plains of the North-West, where horses could feed all the year. He did not object to any reasonable expenditure to maintain a

force on a proper system, but he objected to the enormous expenditure which the Public Accounts showed to have been made. There was an amount of \$3,679 charged for postages, telegrams and stationery. He should like to know who was paid for these telegrams, and if there was any telegraph line there except the line under the control of the Government?

MR. CARTWRIGHT said the telegrams were usually sent by way of the United States, and there had been a great deal of telegraphing from Fort Benton.

MR. MITCHELL said he thought the charge of \$1,275 for stationery was enormous.

MR. SCHULTZ said that, as the Government would not probably force the vote to-night, an opportunity would be given for further discussion of this important matter, and he would confine his remarks to endeavour to elicit information from the Minister of Finance. It would be remembered that the amount expended, or rather paid, to R. G. Baker & Co. for forage last year was \$38,000, while the amount paid to the same firm this year was over \$62,000, while other amounts were paid to A. G. B. Bannatyne, and others, for forage, as shown by the Public Accounts. Now, when this item came up in Committee last year, he (Mr. Schultz) had demurred at the amount of \$38,000 having been paid, and the Minister of Justice then expressed his own surprise at the large amount, and said that he was in correspondence with the officers of the force with a view to its reduction in future. Now, instead of being reduced, it was largely increased; and, before consenting to the item passing, he desired to know what portion of this amount was for hay alone, and in what manner tenders had been asked for the supplying of it. If the tenders called for the furnishing of the whole amount required, then it was easy to see that, as this firm of R. G. Baker & Co. was the only one large enough to undertake it, that they could have it at their own price. Now, while it was a fact that settlements of our own people—discharged policemen, Métis and

Canadian--were springing up around the different posts, the tenders should be asked at the post where required, and only for the quantity there needed. He had occasion to call attention to the enormous amount--nearly \$130,000--paid to this firm, for the current year before the last, and he trusted that, while this force was costing the very large amount of nearly \$1,000 per man, that every opportunity would be given to our own people to furnish supplies.

MR. CAMPBELL said he had seen in the papers a statement that the commanders of this, and the United States forces, had agreed to combine to put down Sitting Bull. This appeared to be a very extraordinary negotiation. Besides, a member of the Government had gone to Washington last summer to negotiate with a foreign power about Sitting Bull, and he thought that this was also an extraordinary proceeding. He had never heard of such a thing before.

MR. McCARTHY said that in the absence of the hon. member for North Simcoe he wished to draw the attention of the hon. the Premier to a matter in which both the hon. member for North Simcoe and himself had taken a little interest last Session. This related to the route by which the Mounted Police had been sent out to the North-West. Last Session this question had been brought up on two occasions, and the hon. the First Minister had stated that, as far as he knew, the Collingwood line was receiving a larger portion of the public patronage in that direction than the Sarnia line, and he had promised them that in future these two lines should be placed on a footing of equality. It appeared that up to that time some \$9,000--if he remembered right--had been paid to the Sarnia line by the Government, \$3,348 in one and \$6,452 in another year, against \$1,228 to the Collingwood line. He found in the Public Accounts since brought down, that J. H. Beattie & Co. received for transporting men, horses and stores \$1,752, and that the Windsor and Lake Superior Line, which he understood represented the old line of J. H. Beattie & Co., \$1,043.37, making

MR. SCHULTZ.

all together \$2,795.46, while so far as he could observe not a solitary dollar had been paid to the Collingwood Line. He had understood the hon. the First Minister to say last year, that he had already given instructions to have this matter corrected, but the policy of the Government seemed to be unchanged in this direction. Certainly it seemed to be exceedingly unjust that the shortest route--he did not find that it was any cheaper, though certainly it was not more expensive--should be so completely ignored as had been the case by the present Administration.

MR. MACKENZIE said he really did not know anything about the transport of any portion of the Force. He was not aware that any men were sent up, but he would make enquiry of the Minister who had charge of this matter. If notice had been given of this question, he would have obtained the information.

MR. McCARTHY: The items are contained in the Public Accounts, page 117.

MR. MACKENZIE said that he would enquire into the matter. There was no truth in the alleged agreement of Col. McLeod with the United States commanders about joint action with regard to Sitting Bull. Nothing of the kind had been done. This was, of course, a mere newspaper rumour.

MR. CURRIER said it was desirable that these men should be well equipped, as they might be called upon at any moment to act with reference to Indians, who, he believed, would yet give a great deal of trouble. He did not think the sum set down in the estimates was excessive, if the horses were fed as they ought to be. It seemed to him, however, that oats might be raised in the vicinity of the stations to feed the horses, instead of bringing oats such long distances.

MR. TROW said that, in the course of a year or two, provender for horses would be raised in the vicinity of the posts, and steps had already been taken by Captain French to raise oats.

MR. MITCHELL said the discussion which this item had elicited, showed the futility of bringing up a matter of this kind at such a late hour. He should ask, on Concurrence, to have the item reduced by \$100,000.

Vote agreed to.

Resolution ordered to be reported.

House resumed.

Resolution reported.

House adjourned at  
Twenty minutes before  
Three o'clock.

## HOUSE OF COMMONS.

Friday, 26th April, 1878.

The Speaker took the Chair at Three o'clock.

### PRAYERS.

#### PUBLIC ACCOUNTS COMMITTEE— PETER SUTHERLAND.

##### REPORT PRESENTED.

MR. YOUNG presented the second report of the Public Accounts Committee, and said the object was to bring before the House the case of Peter Sutherland, of Winnipeg, who had neglected to pay attention to the summons of the Committee, to appear and give evidence in the matter of the Nixon accounts. This was the first case of the kind which had occurred since Confederation, and he would read a few extracts from May on the subject.

MR. LANGEVIN said it would be better to read the extracts and discuss the case after the report had been printed in the Votes and Proceedings. This should be done in justice to Mr. Sutherland.

MR. SPEAKER said it was unusual to discuss a report except on a motion to adopt it.

MR. YOUNG said he did not wish to discuss the matter; he simply wished to give a statement of the case.

SIR JOHN A. MACDONALD said the hon. gentleman had better proceed regularly.

MR. HOLTON said there could be no doubt that Sutherland had been guilty of a flagrant contempt of this House, but at this period of the Session it was impossible to vindicate the privileges of Parliament before prorogation. The question now was whether Parliament should vindicate its privileges or avert future events. The only object of the Chairman of the Public Accounts was to lay the case before the House, and he saw no objection to that.

MR. SPEAKER said it was not the practice to supplement the report of a Committee by a statement from the chairman, and he must say that he regarded it as an objectionable mode of proceeding, especially as objection had been made to it.

MR. YOUNG said he bowed to the ruling of the Speaker.

#### PRINTING COMMITTEE—DISTRIBUTION OFFICE.

##### MOTION TO ADOPT REPORTS.

MR. ROSS (West Middlesex) moved the adoption of the fourth and fifth Reports of the Printing Committee. He stated that one of these Reports referred to a matter in connection with the Distribution office. The Committee had found that the work could not be attended to by the present staff during the recess, and Mr. Botterell had requested that one of the Sessional messengers should be transformed into a permanent messenger. The Committee had recommended that this request should be complied with, and that an additional allowance of \$300 should be allowed for this messenger.

MR. MACKENZIE said that this might be all perfectly right, but it was an interference with the law which governed the House. This matter ought to be left with the Speaker and the Commissioners of Internal Economy. If the Committees of the House undertook to make these changes practically in the salaries of officials, it would be very awkward.

MR. ROSS said that the Printing Committee was not a Committee having the ordinary privileges of a Committee of the House. It was an

extraordinary Committee. A few years ago they had appointed an additional messenger as Sessional messenger in that Department, and this report was adopted in precisely the same form as he had moved the adoption of this report. This was merely the exercise of the same privilege on a somewhat more extended scale, for the allowance in this case was \$300, while in the other case it was \$200.

MR. MACKENZIE said that this was not a Committee of this House at all. He believed that the same motion would be made in the Senate.

MR. ROSS: Yes.

MR. MACKENZIE said: Imagine the Senate adopting a report imposing duties on this House. It would never do, and it would be quite irregular.

SIR JOHN A. MACDONALD said it was quite irregular. The Speaker and the Committee on Internal Economy were responsible for all these arrangements, and they should not be relieved of this responsibility in any way. If a similar transaction took place last year, that was irregular as well.

MR. SPEAKER: I have not the slightest recollection of what was done on a former occasion. The report, or the purport of it, and the effect of the resolution, I think, entirely escaped my notice or I would have objected to it at the time. I would have objected to this if the Premier had not raised the objection. I think that Committees, in these cases, should confine themselves to recommendation.

MR. HOLTON said that he doubted whether it was competent for these Committees to even make recommendations. The law of Parliament was quite clear that Committees, whether Standing or Special, should only report on subjects referred to them by the House. This was the plain law.

MR. BOWELL said that the position taken by the Premier, the right hon. member for Kingston, and the hon. member for Chateauguay, might be quite correct; but the practice, so far as the Printing Committee was concerned, had been, for the last ten years, that which had been pursued on the

present occasion. He remembered distinctly that when the Premier was the Chairman of the Printing Committee—

MR. MACKENZIE: That was before the Committee was established.

MR. BOWELL said he thought not. He recommended to the House an increase of salary to the Clerk, and this was, he might also remark, defeated. He knew that, a year or two ago, a recommendation was also made to increase the salary of Mr. Boterell, the Distribution Clerk, and an additional assistant was given this official by this Committee. The report was made to the House—the recommendation was similar to this one—and was approved, whether it was approved by the Senate or not, he was not prepared to say. If the Committee had overstepped its duty on this occasion, certainly this was not the first time. This was only pursuing the practice which had been in vogue for a number of years past.

MR. BLAKE said he was glad, if this practice had been pursued for a number of years past, that it was now stopped. He had great objection to even recommendations from these Committees. It was quite right to communicate such matters in an informal manner having special sources of information, to those responsible for the internal economy of the House; but nothing could be more calculated to withdraw an efficient sense of responsibility, and an efficient control from the three or four persons entrusted with this duty, than to have these recommendations made by a Committee which was not responsible for the economy of the House; and if a Committee of the House concurred in recommending an increase, it would be made and nobody would be responsible. He conceived that this was contrary to law, certainly it was so unless these officials stood upon a different footing, and were appointed in a different way to other officials of the House. He had never before heard of this being done.

MR. TUPPER said that no doubt an informal recommendation through this Committee would receive all desirable attention; and this would avoid the creation of an irresponsible body.

MR. ROSS.

MR. SPEAKER: I think that, under the circumstances, the hon. member ought to withdraw the motion.

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

#### INGONISH HARBOUR.

##### RESOLUTION PROPOSED.

Order for Mr. Speaker to leave the Chair, for the House to go again in Committee of Supply, *read*.

Mr. McDONALD (Cape Breton) said he wished to move an amendment and would not detain the House at any length. It was in reference to one of those contracts of which they had heard so much of late in this House. The facts he was going to state would show how the Government could award contracts to the lowest tenderers, and, at the same time, compensate them if they were friends of the Government. The motion was as follows:—

“That by a return of the House of the 16th February, 1877, dated 1st March, 1877, —and also by a Return to an Order of the House of the 19th March, 1877, and dated 20th March, 1877, for copies of all tenders and contracts, plans and other correspondence, relating to the Ingonish Harbour contract, in Nova Scotia, it appears:—

“That on the 10th May, 1873, the contract for building Ingonish Harbour was awarded to F. W. McKenrie, for the sum of \$78,208.60; that in pursuance thereof an agreement was entered into, on the 22nd July, 1873, between F. W. McKenrie and the Minister of Public Works; that under the terms of the agreement, afterwards renewed between Ross & McKay, to whom the contract was transferred by the said F. W. McKenrie and the present Government on the 5th February, 1874, it was stipulated, that any change which the Government Engineer deemed necessary to be made in the original plans, should be so made by the contractor, and if extra expenses were entailed by such changes, the contractor should be paid extra for them; but should the change lessen the original expense, then such should be deducted from the amount of the contract;

“That by the said contract, the said Ross & McKay were bound to build a Breakwater 700 feet long, and were to make good all damages it might sustain during its construction; that they were to dredge a channel into the Harbour 200 feet wide, and 15 feet deep; the contract was to be finished on or before the 31st December, 1874; that the contractor was liable for any salary or wage

due the person superintending the work in behalf of the Government for any time he might serve in so superintending beyond the 31st December, 1874;

That on the 31st September, 1876, Mr. Perley, Government Engineer, six months after the work should have been finished, recommended extra work, estimated to cost \$2,000;

That it appears the said Breakwater was not taken off the hands of the contractor before the 17th February, 1877; that at that time there were but 535 feet, less than provided by the terms of the contract;

That it does not appear that the channel has been dredged 200 feet wide, and 15 feet deep, as per terms of contract, and as recommended on the 26th January, 1876, both by Mr. Perley and Mr. Baillargé; but, on the contrary the papers go to show that it has been dredged only 60 feet wide, and 12 feet deep;

That it appears the sum of \$1,975 was paid one Angus McLeod, Superintendent on this work, in behalf of the Government for attendance subsequent to the 31st December, 1874, the terms on which the work should have been completed;

That, notwithstanding the reduction in the length of the Breakwater, and that the dredging was not done to the width of 200 feet, and to the depth of 15 feet, but only to 60 feet wide, and 12 feet deep, and the extension of the time for building it to over two years, the Government paid the full amount of contract \$78,208.60 cents; and also extras to the amount of \$3,643, without deducting therefrom the allowance for the Breakwater being less in length, and the dredging less in width and depth as aforesaid, and without deducting the \$1,975, paid for the services of Superintendent after the time allowed for the completion of the contract;

That in the opinion of this House, there was paid to the contractors a great deal more than ought to have been paid, causing serious loss to the country.”

He proposed to prove from the papers brought down, all these facts. The first statement was, that the contract was awarded to F. W. McKenrie, on the 10th May, 1873. The minute of Council passed on the 10th May, 1873, showed the contract was awarded to F. W. McKenrie. The specifications and plans of work annexed shows the dredging required at 200 feet wide, and 15 feet deep below low water mark, and also the length of the breakwater at 700 feet. Another clause in the specifications was as follows:

“The bulk sum mentioned in the tender must cover the entire cost of furnishing all dredging machines or vessels, screws, steam

tugs, materials, labour, tools, tackle and machinery, service ground and right of way, and every contingency connected directly or indirectly with the work; and the contractor shall assume, and make good at his own expense, any damage that may be incurred from loss of materials, vessels, machinery or otherwise, by storms or from any cause whatever, during the progress of the work, and up to its final and satisfactory completion; and if during the progress of the work it should appear that anything has been omitted, either from the plan or this specification, which should have been shown or specified, the contractors shall furnish and perform the same as if said plan and specification were full and complete."

The last clause in the specification was as follows:

"The whole of the work to be completed on or before the 31st day of December, 1874."

The second clause in the agreement attached provided for the transfer of the contract from the contractor by the Government:

"When it shall appear that the establishment and rate of progress at and in the said works are not such as to ensure the completion of the same within the time herein prescribed."

The seventh clause provided:

"That if any change or alteration, either in the position or details of any part of the work shall be required by the said Minister during the progress thereof, the party of the first part is hereby bound to make such alteration or change; and if such alteration or change shall entail extra expense on the said party of the first part, either in labour or materials, the same shall be added to the amount of this contract; in either case the amount is to be determined by the Estimate made by the Minister, his Engineer or officer in charge."

The eleventh clause was as follows:—

"That should the party of the first part not complete the work herein contracted for at the period agreed upon as above mentioned, the said party of the first part shall be liable for, and shall cause to be paid to the party of the second part all salaries or wages which shall become due to the person or persons superintending the work on behalf of the said Minister, from the above-named period for completion, until the same shall be actually completed and received."

By letter dated at Barney River, N.S., February 5, 1874, F. W. McKenrie transferred his contract to John Ross, of Little Bras D'Or, Cape Breton,

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and James McKay, of Stellarton, Pictou, N.S. A telegram from Ross & McKay on March 1st, 1875, showed that the contract was not then completed. It was as follows, and was addressed to the Minister of Public Works:—

"Whole contract finished in August, the whole amount for contracts required within that time.

"Ross & McKay,  
"Contractors."

On April 11th, 1876, he found by a letter from Mr. Braun that the Minister of Public Works assented to a reduction in the length of the breakwater to 600 feet. On September 1st, 1876, he found John Ross resigned his interest in the contract by telegraphing to Hon. Alex. Mackenzie, Minister of Public Works. This was done to enable him to contest an election in Victoria about that time, as he could not be a candidate and contractor at the same time. It showed also that the contract was not completed. He ran the election and was defeated. The Engineer reported on September 18th, 1876, as follows:—

"Nearly complete, a quantity of dredging still remains to be done to finish the channel, and it is somewhat doubtful if it will be accomplished this year."

On October 14th, after John Ross was defeated at the election, he wrote to the Secretary of the Public Works Department withdrawing his resignation and resuming charge of the contract, which he was allowed to do. A letter from Mr. Perley, dated September 30th, 1875, showed that a channel averaging 60 feet wide, with 14 feet water at low tide, had been dredged at that time, and calling the attention of the Minister to the fact that it had yet to be widened to the full width of 200 feet. On Jan. 3rd, 1876, he found a long letter from Ross & McKay asking for modifications in the work which would lessen the expenses, all of which was granted them. Then he found a letter from Mr. Baillairgé, as follows:—

"The contractors have twice endeavoured and twice failed to construct the pier to its full length of 700 feet, on account of the storms of 17th September and 11th November, 1875. They now request permission to limit the length to 600 feet, to remove the

remains of the pier destroyed by the storm, and to place a triangular crib in its stead near the seaward end of the structure. Mr. Perley, in No. 56,874 of January 26th, states that to shorten the pier as above will be no disadvantage to the new channel, and that the structure will be so much the less liable to damage by storms. He, therefore, recommends that the permission asked for be granted.

“By a schedule attached to the papers, I find that payments were made as follows on this work:—

Cost of Superintendence of works up to 17th Feb., 1877.	Angus McLeod, Clerk of Works, 1873-4.	185 days at \$3.00	.....\$555 00
In 1874-5, 313 days at \$3.00			..... 939 00
In 1875-6, 202 “ “			..... 606 00
6 months to 31st Dec., 1876, 140 days			420 00

\$2,520 00

“28th February, 1877.”

“I find by letter from Ross & McKay, dated Dec. 30, 1876, a claim for extras, to the amount of \$13,773.96.”

This was after the election, and when Ross was, no doubt, able to ask for this in consideration of his services in endeavouring to defeat Mr. Campbell a few weeks previously. The whole thing looked extremely bad.

“Under the circumstances this recommendation may probably be agreed to without detriment to the public interest. As regards the dredging, the contractors should be compelled to dredge the channel to the full width contemplated by contract No.4,319, viz:—200 feet.

“ S. T. BAILLAIRGÉ.”

On January 26th, 1876, Mr. Perley recommended that Ross & McKay be compelled to dredge the full width, as per terms of contract. Again, a schedule showed that the full amount of contract was paid Ross & McKay, viz:—\$78,208.60. He was, therefore, of opinion, from the above facts, taken from the official papers brought down from the Public Works Department, that he was justified in asking this House to vote for his amendment. He might also say that the Government had not brought down papers, asked for in this matter, namely, the Engineers' certificate of works done and payments made thereon at different dates.

MR. MACKENZIE said this was one of the most extraordinary motions he had ever known presented to Parliament. Without a moment's notice the

hon. gentleman moved a motion reciting what he was pleased to call facts, and charging the Government with having paid moneys to certain contractors improperly. It was utterly impossible for him (Mr. Mackenzie) at a moment's notice to recall circumstances which occurred years ago. The hon. gentleman knew that Mr. Perley, Chief Engineer of the Government, had been in attendance until eight or ten days ago for the express purpose of being ready to give information regarding this or other works, but he (Mr. McDonald) gave no notice of any sort of his intention to introduce this extraordinary motion, and came down and made a set of sweeping assertions with which it was impossible for him (Mr. Mackenzie) to deal, even if he were possessed of the best memory man ever had. His impression was that the works were overtaken when pretty well on by a severe storm, that a great portion was destroyed, and that the Engineer found it desirable to change the plans. To these changes, which were accepted by the Chief Engineer of the Government, he would, as a matter of course, give his consent. What those changes were he was unable at the moment to say. All he knew was that the contractors claimed that the Government were indebted to them to the amount of \$16,000 or thereabouts. Mr. Perley, whom he believed was one of the most upright officers that had ever served a Government, had reported against that claim. He had no reason to believe that Mr. Perley had ever given his certificate for the payment of money that was not justly due, and no payment had been made except upon that gentleman's certificate. No one could expect him to inform himself on matters of this kind without notice, and he had merely to say that he did not believe Mr. Perley ever gave improper certificates, or that the assertion that too much money was paid to the contractors was a fact. He asked the House to dispose of the motion by refusing assent to the one-sided statement the hon. gentleman had made.

MR. MACDONNELL said every hon. member required to know whether

the facts contained in the recital of this resolution were correct. How was he to know? Was he to take the *ipse dixit* of the hon. gentleman as a fact? The *onus probandi* lay on the hon. gentleman, and it was quite unnecessary for the Government to say anything in defence until the hon. gentleman made out, at least, a *prima facie* case against them.

MR. CAMPBELL said this resolution had brought up a more serious charge than he had anticipated. The papers in connection with the Ingonish Harbour were last year sent to the Printing Committee, and they refused to print them. If they had printed them he would not have said a word, as the papers would have explained themselves. There was no certificate of the Engineer among the papers, although it was ordered to be produced two or three times. He (Mr. Campbell) exonerated the Engineer from blame, because he had not certified to any such payments. This was a serious question, that \$40,000 or \$50,000 of the public money should have been paid away corruptly. If the Government were guilty, as he was prepared to say they were, the House should consider the matter fairly and dispassionately. It appeared that in 1873 the Government of the day advertised for tenders to build the harbour of Ingonish. Four tenders were sent in: one by Mr. Evans, one by Mr. McKenrie, one by Mr. Ross, and one by Mr. Devlin. It appeared that, after these tenders were in, Mr. Ross, who was then a member of this House, had communication with the Minister of Public Works at that day, and begged him to postpone any action on the tenders. That was granted; and the result of that interview appeared to be that the lowest tenderer did not get the contract; but McKenrie, who was next, and in partnership with the two Rosses, got the contract. It appeared that Mr. Ross was entrusted with the task of getting the contract executed, and he was witness to the contract himself. He changed the sureties with the consent of the Government of the day, and got two farmers without means to become sureties in a matter involving an

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expenditure of from \$70,000 to \$80,000. The work was proceeded with, and a few months afterwards the Government changed hands, and Mr. William Ross became a member of the Government. It was then managed that McKenrie should withdraw from the contract, and that it should be handed to John Ross and Mr. McKay. The contract went on. There appeared to have been a long correspondence between Mr. Ross and the Premier about altering the plan of the work; and it appeared that Mr. Ross commenced building the pier at his own expense, and without the sanction of the engineer. But after a little correspondence the Minister of Public Works consented that the diagonal piece should be put on. In January, 1876, the contractors requested the Minister of Public Works to allow them to reduce the length of the pier to 600 feet instead of 700 feet, and to build the last block with a sharp angle instead of a square angle as was shown in the plans. It appeared that in June 1876, eighteen months after the time the contract was to be finished, the Government consented to this, and also that the engineer in May, 1876, reported that the contractors could not finish the contract. They failed owing to the want of means and material. It was not the engineer who suggested reducing the work, the Minister of Public Works sent him the contractors, letter to ask his opinion, and that opinion was, that they had wholly failed and could not complete the work according to the tender. But the engineer never suggested that the contractors should be paid for what they had not built. Further, he had applied for the certificate of the engineer to which the Minister of Public Works had referred three or four times and there was not the scrape of a pen of the engineer to show that this large amount was to be paid. These certificates were not in existence or they would have been forthcoming. It further appeared that this pier was only 565 feet long, including this three angled block leaving 200 feet short of what the contract required. The contract set forth that if the work was reduced there should be a reduction of prices in proportion



but it seemed that a great deal more than the amount of the contract price had been paid. The depth of water was to have been 15 feet and the width of the channel 200 feet, whereas the depth of water, at low tide, was only 12 feet, and the width was 60 feet instead of 200 feet, besides the pier being 135 feet shorter than was provided for by the contract. The original price of the contract was \$57,000, and taking the rates for the reduction it would have been brought down to about \$51,000 which they should have received for the whole job. Last session a few days before the House closed, after these payments were made, and the returns were in, the hon. the Premier had passed this item of \$1,600 in the Supplementary Estimates at two o'clock in the morning, when everybody was falling asleep. This was the way in which the people's money went. He had protested against it then, and to this day he could not tell what had become of this \$1,600. The hon. the Minister of Public works had failed to explain the matter in any shape or form. The hon. gentleman would not even condescend to answer. He wished to know where this money had gone to. He had had the figures in his possession long before the Supplementary Estimates were passed. Deducting these \$1,600, \$88,451 were left as having been paid up to that time last year. Without making the allowance that should be made for the two year's interest, for the time during which this man had his money before the work was done, and for the difference between dredging in fifteen and two feet of water—it took twice as much a foot in deep water as it did on the beach—he figured that this man got \$32,450 more than his contract justified the Government in giving him—independent of these extra charges which brought the amount up to \$40,000. This arrangement was made with the late Minister of Militia (Mr. Vail), in Truro, before the last election in Truro. He maintained—and he challenged the Government to refute these figures—that this man, according to these papers, obtained \$32,000 for which no certificate from any engineer was shown, though such certificates had been repeatedly asked

for. It might be naturally asked, why should the Premier of this Dominion pay away money in this manner without any real reason; but when they remembered the circumstances that had taken place, that this contractor was in difficulty, that he had written a long letter to the Minister of Public Works, at the time, begging as a favour to be let off and to have the work reduced, though he never hinted that he should not be paid for what he did not do, and that the engineer consented to this being done, the matter took a serious aspect. This man was in difficulties, and the Government were in difficulty as to getting a member from Cape Breton, and the late Minister of Militia had admitted on the floor of Parliament that he had consulted with the hon. the Minister of Public Works in this relation, and that he had gone down to Cape Breton with the consent and knowledge of the hon. the Premier to make this arrangement—that the work should be taken hurriedly off this man's hands in any shape. These were the facts of the case. What a position it was for a member of the Government, the Premier knowing the facts and difficulties of the case, to go down and negotiate with this contractor. The moment the election was lost the Government paid this man the people's money, and let him finish the work in any shape or form. He (Mr. Campbell) had applied for these papers repeatedly, but he could not obtain them. He wished to know how this money was paid; in one lump or how. His object was to show that this money had been paid when it should not have been paid; and to this evidence he and the House and the country were entitled. He wanted the day and date for each payment, and the engineer's certificate for each payment; and, after bringing these charges before the House last year, what answer did he receive? The hon. the Premier would not reply to him at all, but the hon. member for Cumberland, having put the matter pretty strongly, the hon. gentleman (Mr. Mackenzie) said:

“The foundation of the pier of the full length was laid, but it appeared that it was destroyed to a considerable extent by a

storm. The evidence of the engineer went to show that it was destroyed because it had a square end.

He contradicted this statement flatly. The engineer said quite the reverse: that it was not because it was a square end, but because it was not built properly and not according to his instructions, and the directions contained in the plans and specification. This pier was built without the consent of the engineer, and application was then made to the Government to have this stuck on the pier. The evidence of the engineer was that the pier was not destroyed because it had a square end. The hon. gentleman further stated:

“The engineer recommended that the pier for the last 150 feet should present an acute angle.”

The engineer did no such thing, but explained in these papers that they built this pier without his consent and knowledge, and that as it was built, it might as well be put there. The hon. gentleman also said:—

“This was partially done, when the work was destroyed by a second storm. These were accidents beyond, he presumed, the control of human power.”

This was the way in which the hon. gentleman treated this subject. They should have known these things before they commenced the work, and the contractors also. Besides, if works were destroyed by any means before they were taken off the contractors hands, the contractor was responsible for it, and not the people of this country. The hon. gentleman also stated that he had not the details of the Engineer with him, and he spoke entirely from memory. But the hon. gentleman should not speak from memory. This matter had been before the House all winter. He had repeatedly kept the hon. gentleman in mind of it, because he was continually asking for these papers; and it was not for a man in the hon. gentleman's position to get up and say that he was not prepared to give an answer to a question of this importance and that he was only speaking from memory. This was not satisfactory, when he had charged the hon.

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gentleman with paying away public money improperly and under suspicious circumstances, when he had no right to pay it away. The hon. gentleman continued:—

“Not expecting this item would be discussed to-night.”

At this moment he could not find out what had become of this money or who had got it.

“However, the calculations of the Engineer were based upon what he conceived to be the proper interpretation of the contract and of the work performed. The contractors, as could be seen by papers laid before the House, had presented claims amounting to \$13,000. He had no means of knowing what the Engineer would report, as that gentleman had taken the papers in the case with him, but he would report as soon as possible. As to the dredging, his (Mr. Mackenzie's) opinion was that the contractors had no claim upon the Government.”

He held that this dredging was not half done. He could show from the papers that 140 feet of the contract was not dredged to three feet in depth.

“In the meantime, the Engineer had sent the Government his certificate for the amount now asked for.”

Where were these certificates. Why did not the hon. the Premier produce them? He wished to obtain these certificates. He felt confident that the engineer would not make out such certificates improperly; if so, he should not be employed by the Government another moment. But it did not appear that the engineer had sent in these certificates, or else the Government would produce them. If the Government could do so, they should show these papers. This matter had been before the country for a very long time, and how much had been paid? Was the money of the country to be given out in this manner? Was there no check at all on this expenditure? Were the public funds entirely at the mercy and in the power of the Premier? He would read the following extract from a letter written by Mr. John Ross on the 27th of September, after the election took place, in 1876, he believed:—

“ Unfortunately for them and for me, that contract is not yet finished, and from my experience in public contracts in Australia, extras would not be even asked till original contract was finished. The experience from Nova Scotia, as often detailed in the *Herald*, would not make me expect anything from the Dominion Government, except what I would be entitled to under the contract. Those who know me are already satisfied that this is all I expect to recover. No money except what I was honourably entitled to was ever received by me, and so far not one cent received or promised except what was certified by the engineer for work done. A large portion of the contract was carried away last fall, which was this year rebuilt, and completed to the satisfaction of the engineer in charge, and I did ask that the wood work being so finished would be taken off my hands, but this was refused till the whole contract would be finished. Such are the favours that I have received from the Dominion Government. Mr. Campbell and any men who choose may examine the public records and they will find no claims of this kind or any demand for extras made by me, I always understood that even extras had to be voted by Parliament before they could be promised or paid.”

How did the Minister of Public Works reconcile this statement with the one he had made to the House? Why were extras put down here and paid for to the extent of \$4,000 or \$5,000? It was ridiculous that the public money should be paid out in this manner. He thought that he had placed the case, as far as was in his power, sufficiently plainly before the House, and he would say no more on the subject.

Some Hon. MEMBERS: Question.

Mr. TUPPER said he was very much astonished to hear hon. gentlemen opposite, in reply to so gross a statement of the case as this, express their readiness to have the members called in and a vote taken to dispose of the question, without any explanation, and without any vindication being offered on the part of the Government. The hon. member for Inverness must have spoken, he thought, under a misapprehension of the facts, when he made the appeal to the House that he did, and thought it possible that members could deal with a matter of this kind without any opportunity being offered them to possess themselves of an accurate knowledge of the case. Why the hon. member could not have known that this case, which the hon.

the Minister of Public Works treated as a surprise, was a question which the hon. gentleman certainly ought not to have been in a position to treat as a surprise. The fact that this was a matter of frequent discussion during last Session, that there had been a very full and strong controversy in relation to it, that these papers had been moved for again and again by the hon. member for Victoria (Mr. Campbell), that they had been finally brought down by the hon. the First Minister himself, and laid upon the table of this House, precluded at once the possibility of the hon. gentleman urging that he was taken by surprise, or that he was not in a position to have all these facts and everything in relation to the case under his command. Why was it that every member of this House had not the same means of judging this case, the same full knowledge of it as the hon. the First Minister? Simply because the Government, having a majority on the Printing Committee, refused to have these papers printed and placed in the hands of hon. members. This case, instead of being an unimportant case, was a very important one, as detailed in the motion of his hon. friend, a motion which must carry conviction to the mind of every hon. member, provided the facts were accurately stated, and those facts were taken simply from papers laid by the Government on the table of this House, and which had been in their possession for about twelve months. If there was any case which could not be treated as a surprise, with which the Government should be thoroughly prepared to deal, it was this one. Why had the Printing Committee, upon which the Government had a majority, refused to give to hon. members the information to which they were entitled? Because the facts, as detailed in the motion of his hon. friends, were so strong; because they carried on their face evidence of improper conduct on the part of the Administration, in respect to expenditure of public money, that they dared not produce those documents. The Printing Committee deserved condemnation for not having produced, when required, documents containing charges of so grave a character against the Government, and which they were

bound, in the discharge of their duty, to give to every hon member of this House. The fact was proved by these documents which had been laid upon the table by the hon. the First Minister himself, that a contract had been given out, by the late Government, for \$78,000 which required the construction of a breakwater 700 feet in length, with a channel dredge 200 feet wide and 15 feet deep. A contract which bound the contractor to take all the risks of damage to that work, which might arise during its construction, and to pay for any extras which might be caused if it was not completed within the term mentioned. No sooner had the Government changed hands than that contract was broken. One of the Cabinet Ministers, a colleague of the hon. the First Minister transferred it from the contractor to whom it had been given to his own brother, and the result was what might be expected from a Government which would use its power to give to relatives of its members the charge of public works of this kind, the whole contract was made waste paper of. Instead of 700 feet they curtailed this work to 500 feet, and, as his hon. friend had remarked, any one who knew anything about the construction of public works, knew that that meant an immense disproportionate curtailment in the work, because every foot of this increase length cost double the trouble and work of that near the shore, so that this contract of \$78,000 was, probably, in point of work, one-half that which the contract required. According to the original contract, the contractor was obliged to improve the channel, to dredge 200 feet wide and 15 feet deep; and, upon the evidence of the Government, all that was done was a channel of 60 feet wide and 12 feet deep, and yet the fact remained that this gentleman, the brother of a Cabinet Minister, whose work had been curtailed one-half, not only received the full amount of \$78,000 of public money, but had a claim for a large amount of extras over and above that sum. Besides this startling charge, there was another charge brought against another member of the Government, and against the whole Gov-

ernment, with relation to this contractor: that this gentleman, who was known to be an outspoken friend of the Government, was suddenly transformed by the Minister of Militia, who had been called down to meet him at Truro previous to an election, into a Government candidate, and a telegram was sent him relieving him from his contract, to enable him to run as candidate.

MR. MACKENZIE: The hon. gentleman must know he was not relieved of his contract.

MR. TUPPER: He was relieved.

MR. MACKENZIE: He was not relieved.

MR. TUPPER: He ran as a Government candidate after communication with the hon. the Minister of Militia.

MR. MACKENZIE: Read the communication.

MR. TUPPER said he had not the communication, but if his recollection was not altogether at fault, the hon. gentleman had himself detailed the fact that he was communicated with by Mr. Ross in reference to being relieved of his contract in order to run his election, and he ran his election as Government candidate and was defeated by the hon. member for Victoria (Mr. Campbell). Then the Government which had previously relieved him of his contract, allowed him to resume it and remain the public contractor as before. He (Mr. Tupper) would undertake to say that had he obtained a majority, it would be found he was not a contractor. There was not a member of this House who could doubt that. The result of the whole affair was that this gentleman who became transferred into a contractor through the influence of his brother, a Cabinet Minister, and who ran as a Government candidate, after a communication with another Cabinet Minister, was paid the full contract amount \$78,000 for doing half the work and a large amount in addition under the head of extras. The hon. the First Minister had stated he still had a claim for \$16,000. The hon. the First Minister assumed to-day the position of being taken entirely by

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surprise, and of not being expected to know anything about it. Had Mr. Ross been elected, there would have been no trouble about that being a resignation of his contract. There was the letter of the hon. the Premier, informing Mr. Ross that the Department had no objection to it; and yet the hon. gentleman endeavoured to interrupt, for the purpose of representing that no communication had taken place. Mr. Ross ran his election, and was defeated, and mark what followed. Like the dog in the fable, having lost the substance in the attempt to grasp the shadow, he determined to make one last attempt to retain the contract. The hon. member for South Bruce, no doubt, did not forget that, when he met with this case, he was ashamed to undertake to deal with it, and said he would leave it to the hon. the Minister of Militia to defend his own conduct in having this interview with the contractor, and transferring him into a Government candidate. He (Mr. Tupper) did not forget that, when the hon. the Minister of Militia rose, he said he would take some other time to make an explanation, which time had not yet arrived. But, no doubt, all that was satisfactory to the hon. member for South Bruce, who seemed to have such a lively recollection of that which the hon. the First Minister had forgotten. He thought he had shown to the satisfaction of the hon. member for South Bruce that the contractor who failed to perform his contract, and to whom was improperly handed over a large sum of public money was, during an election in Victoria transferred into a Government candidate, though he had previously been an opponent of theirs. He would ask hon. gentlemen opposite, he would ask the hon. member for South Bruce, whose high character for purity in relation to contracts, if this proceeding was a fair or a just one? If the transformation which was effected in this way surprised the hon. the First Minister, it certainly did not surprise the people of this country who watched the discussion in this House. Anyone who calmly and dispassionately watched the course of public events, must be convinced that this was one of the gravest cases of misconduct and

maladministration on the part of the Government, and he could hardly suppose that the Session would be allowed to pass without the matter being brought under the notice of the House.

MR. MACKENZIE said he wished here to put in certain documents. It was asserted, among other things, that no engineer's certificate had been obtained for some of the items charged, and he would now hand over certificates for every farthing of the expenditure.

MR. MACKAY (Cape Breton) said he must confess he did not know a great deal about this matter, but he had paid some little attention to the discussion of last Session. He believed the speech delivered by the hon. member for Cumberland to-day, had been given on a previous occasion. The principal charge made by the hon. gentleman was that Mr. Ross, the candidate at the last general election, who opposed the member for Victoria, was induced to become a supporter of the Government after certain arrangements had been made with him by the Minister of Militia. Now, he (Mr. MacKay) knew that was not correct. He knew that on the nomination day, and, indeed during his canvass, Mr. Ross did not come out as a supporter of the present Ministry; on the contrary, he was to a certain extent opposed to the Government then in power. The Opposition papers of Nova Scotia claimed him in the first instance as being in opposition to the present Government, and it was only after he was defeated by the member for Victoria, that he was alleged to be a Government candidate. The hon. member for Cumberland would fain induce the House to believe that monies had been paid to the contractor improperly, the work which he undertook to perform not having been completed. Now he believed that the work was completed in accordance with the terms of the contract, but that in consequence of a storm, or some other casualty, a large portion of the work had to be commenced over again. This, he believed was also repaired, but the Government finding that owing to the exposed nature of the coast the work could not be made durable as it

was at first planned by the engineer, reduced the dimensions from 700 to 500 or 600 feet. The hon. member for Cumberland alluded to the Government having been taken by surprise on this occasion. He (Mr. MacKay) ventured to say that not only the Government, but everybody there was surprised at a motion of this kind being brought before the House. He felt satisfied, from his knowledge of the circumstances, that there was no foundation whatever for the charges made.

Question put, and motion in amendment (Mr. McDonald, Cape Breton) negatived on the following division:—

## YEAS :

## Messieurs

Benoit,	McKay (Colchester),
Bolduc,	Macmillan,
Bourbeau	McCallum,
Bowell,	McCarthy,
Campbell,	McQuade,
Caron,	Mitchell,
Ostigan,	Mozteith,
Currier,	Montplaisir,
Daoust,	Orton,
Dewdney,	Onimet,
Donahue,	Platt,
Farrow,	Plumb,
Ferguson,	Pope (Compton),
Flesher,	Rochester,
Fraser,	Rouleau,
Gibbs (North Ontario)	Ryan,
Harwood,	Schultz,
Jones (South Leeds),	Stephenson,
Kirkpatrick,	Thompson (Cariboo),
Langevin,	Tupper,
Lanthier,	Wade,
Little,	Wallace (S. Norfolk),
Macdonald (Kingston),	White (East Hastings),
McDonald (Cape Breton),	Wright (Ottawa Co.),
	Wright (Pontiac).—49

## NAYS .

## Messieurs

Archibald,	Jetté,
Bain,	Jones (Halifax),
Bécharde,	Kerr,
Bernier,	Killam,
Biggar,	Kirk,
Blackburn,	Lajoie,
Blain,	Landerkin,
Blake,	Langlois,
Borden,	Laurier,
Borron,	Macdonald (Cornwall),
Brouse,	MacDonnell,
Brown,	Macdougall (E. Elgin),
Buell,	MacDougall (S. Renfrew),
Bunster,	MacKay (Cape Breton),
Burk,	Mackenzie,
Burpee (St. John),	McCraney,
Burpee (Sunbury),	McGregor,
Carmichael,	McIntyre,
Cartwright,	Malouin,
Casey,	Metcalfe,
Casgrain,	Mills,
Charlton,	Norris,

MR. MACKAY.

Cheval,  
Christie,  
Church,  
Cockburn,  
Coffin,  
Cook,  
Coupal,  
Dymond,  
Ferris,  
Fiset,  
Fleming,  
Flynn,  
Forbes,  
Fréchette,  
Galbraith,  
Geoffrion,  
Gibson,  
Gillies,  
Gillmor,  
Goudge,  
Greenway,  
Guthrie,  
Hall,  
Higinbotham,  
Holton,  
Horton,  
Huntington,

Oliver,  
Paterson,  
Perry,  
Pettes,  
Pickard,  
Ray,  
Richard,  
Robillard,  
Ross (East Durham),  
Ross (West-Middlesex),  
Ross (Prince Edward),  
Rymal,  
Scatcherd,  
Scriver,  
Shibley,  
Sinclair,  
Skinner,  
Smith (Peel),  
Smith (Selkirk),  
Smith (Westmoreland),  
Snider,  
St. Jean,  
Taschereau,  
Thompson (Haldimand),  
Trow,  
Wood,  
Young.—98.

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

## After Recess.

## PRIVATE BILLS.

## THIRD READINGS.

The following Bills were severally considered in Committee of the Whole, reported, read the third time and passed:

Bill (No. 55) To amend the law respecting Building Societies.—(Mr. Gibbs, South Ontario.)

Bill (No. 71) To confer certain powers on the Montreal Building Association by the name of "The Montreal Investment and Building Company."—(Mr. Holton.)

## SUPPLY.

## XXI. POST OFFICE.

House again resolved itself into Committee of Supply.

(In the Committee.)

205. For Ontario.....	\$777,000
Quebec.....	474,000
New Brunswick.....	167,000
Nova Scotia.....	196,000
Prince Edward Island.....	46,000
Manitoba.....	24,000
British Columbia.....	69,000
North-West Territory.....	14,000
	<hr/>
	\$1,767,000

Mr. TUPPER asked why the Postmaster-General had refused to allow anyone except the postmaster to sell postage stamps in the town of Amherst.

Mr. HUNTINGTON said he had heard this question for the first time.

Mr. TUPPER said he had personally spoken to the Postmaster-General on the subject.

Mr. HUNTINGTON said he had no desire to withhold from any one the privilege of selling stamps, but he must consult the officers of the Department.

Mr. TUPPER said an answer had been given the application of the people refusing the grant.

Mr. HUNTINGTON said he had no recollection of the reply being sent, and many letters were sent from his Department which he did not write or consider.

Mr. JONES (South Leeds) said he had received some very curt answers from the Department.

Mr. HUNTINGTON said if any officer had sent the hon. gentleman a reply which was curt or improper, he would be dealt with if the letter was produced.

In answer to Mr. McKAY (Colchester),

Mr. HUNTINGTON said there was no change in the position in connection with the Truro post-office since he had last communicated with the hon. gentleman.

Mr. MITCHELL said he again wished to call attention to the necessity of establishing way offices at Alwicks, in the east end of his county, and in the Parish of Ludlow, in the west end of his county. In the former instance, the people had to go four miles to get their letters; and this could be done without extra expense, as the mail passes these places already. A post-office should also be placed at a settlement near Main River. This would be a great convenience, and would be attended with some expense. A building was purchased at Chatham, in which a custom-house and post-office were to have been established.

The late Government had, unfortunately, gone out of power at the time, and this matter had been used to attack him about. Whether they had paid too much for this building or not, this change should be made. The custom-house was now kept in a building belonging to Mr. Snowball, who had opposed him at the last general election. The other building had been fitted up for the last four years, and should be occupied. The post-office in Chatham was now kept in a little bit of a shanty of the meanest kind; and it was a matter of very grave remark why the other building was kept vacant, for in his knowledge, it was properly fitted up, and was a very fine building. Politics had a great deal to do with these proceedings.

Mr. HUNTINGTON said that last year, his attention was called to the state of things which existed in this regard in Chatham. His officers had reported on it and he undertook to see the post-office removed, but for reasons which he need not explain, objection was taken and they were waiting the final decision. If there were no obstructions, he dare say that it would be removed.

Mr. MITCHELL: I did not say there were no obstructions, there are such and they are political, but none other that I know of.

Mr. HUNTINGTON: I know nothing about them.

Mr. ROCHESTER said he had received a letter from a person in South Wellington who complained that no answer had been sent to a petition sent to the Postmaster-General some time in December last, with the object of having a branch office opened in the village of Hillsboro'. Many abuses in connection with this office were complained of. It was said that the Postmaster was 88 years of age, and not fit to keep it; and that a great deal of inconvenience was suffered from not having a branch office at the other end of the village.

Mr. HUNTINGTON said that the inspectors in the west were all intelligent; and they reported to the Department that they would not advise any change in this office. It was not

advisable to have two offices in towns or villages. This was not the case in all cities.

MR. SINCLAIR said it was felt that they should have a provincial inspector in Prince Edward Island. In winter a great deal of difficulty was experienced in changing the mails back and forward on account of the route across the Straits, and they ought to have a provincial deputy, who would have full power to use his own judgment without referring to the Department for instructions with regard to every small matter. He had already spoken to the hon. the Postmaster-General on the subject. He thought that Prince Edward Island was the only Province without such an office. Their assistant deputy was a very efficient officer, and he hoped that this official would be appointed provincial deputy with an increased salary.

MR. McDONALD (Cape Breton) said that two post-offices had been established in the village of Little Glace Bay, and the distance between the two was only between half and three-quarters of a mile. This was done a year and a half ago.

MR. HUNTINGTON said that he did not remember the facts of this case. He agreed with the hon. member for Queen's (Mr. Sinclair) that the officer in charge of post-office affairs in Prince Edward Island was an excellent officer, and his case would be considered. The matter referred to would receive consideration.

MR. McDONALD said that the late post-master at Little Glace Bay had been succeeded by a gentleman who did not appear to give entire satisfaction. Fault was found with him,—and hence the establishment of a second office.

MR. CAMPBELL said that Little Campbellton had been made a way office some time since, when the salary of the Postmaster was reduced from \$40 to \$20. It had been since restored to the position of a post-office, but the salary remained unchanged, though the receipts were, with one exception, the largest in the county. Forty per cent. of the collections of

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the office amounted to \$52 a year. At St. Ann's, however, two miles away, a Government settlement, the post-master collected \$80 and received \$87.

MR. HUNTINGTON said the post-master whom he appointed was recommended to him by persons in whom he had confidence. He did not think the people had suffered any inconvenience by the change.

MR. LANGEVIN did not think the convenience of the parish had been studied either with regard to the person whom they proposed or the site for the new office. There was another matter, however, to which he would take this opportunity of referring. The other day he asked for two returns which had now been placed before the House. One of these was with regard to the carrying of the mails from Quebec to Murray Bay by land, which service was performed up to the summer of 1877 for the sum of \$2,250. On the expiration of the contract, tenders were asked for, and a recommendation was made to the Postmaster-General by the Inspector of Post Offices in Quebec, in a letter dated 19th April, to the effect that the time allowed for the journey either way should be reduced. Nine tenders were received, the lowest being for \$2,547, the next for \$2,800 and the third by Mr. James Shaw for \$2,900. Now it appeared that the two lowest tenders were withdrawn, and that Mr. Shaw's was accepted. In his motion he (Mr. Langevin) asked for Orders in Council, showing the reason why this special tender was accepted, but he could not find any Order in Council.

MR. HUNTINGTON said the lowest tender was accepted, the two others having withdrawn.

MR. LANGEVIN thought that, according to law, when the lowest tenders were not accepted, an Order in Council was required before any other could be fixed upon.

MR. HUNTINGTON said that was the rule in the Public Works Department, but not in the Post Office Department.

MR. LANGEVIN said he was in a position to say why the lowest



tenders had been withdrawn. The whole affair was manipulated in the county of Charlevoix, not, perhaps, with the knowledge of the Minister, but of another hon. gentleman. The people who sent in their tenders were called upon and threatened with certain consequences, with the result that they were induced to withdraw. By this \$500 had been lost, and the contract given to a partizan. There was still another matter to which he would refer. Formerly the mails from Quebec to the county of Charlevoix went by water, being carried by the St. Lawrence Steam Navigation Company for \$1,500. The service was carried on very regularly during the whole season, and the trips were very numerous. On the 7th May last, the contractors offered to continue the service on the same terms as formerly; but, on the 4th of June,—nearly a month afterwards—the Department replied that they had decided that other arrangements should be made, by sending the mails across from St. Denis to Murray Bay by the Grand Trunk Railway, and Chicoutimi would be served, therefore, by land. This proposal had been effected, and arrangements made for carrying the mails three times a week from Murray Bay to Chicoutimi at the rate of \$12 per round trip. Arrangements had also been made for the carriage of the mails between Murray Bay and the post-office at the rate of 50c. a trip. A special tri-weekly service between Murray Bay and St. Paul's Bay had been undertaken by Mr. Blackburn for \$4 per round trip. Hitherto the service had been very satisfactory to the counties of Charlevoix and Chicoutimi. Why, then, had the changes been made without all who chose being allowed to compete? It was done for the purpose of favouring political partizans. When the Governor-General was there, a special train was chartered to take him his despatches, but, if the steamers had been employed as usual, that would not have been necessary. The whole amount paid for that service in 1876, was \$1,971; in 1877 there was nothing about Chicoutimi wharf, and yet it cost, to bring the mails down to Malbaie by the Grand Trunk, \$2,000—

a larger sum than the whole service of the previous year. At Tadousac the same complaint was made. He did not suppose the Postmaster-General knew the places, or this course would not have been taken. There was a post-office in Quebec East, the revenue of which was \$1,632; the salary was \$742, besides \$200 paid towards rent, fuel and light, making a total of \$942 for that post-office. He complained that that postmaster, instead of being at his business and attending to his work, was allowed to go down to the county of Rimouski, and there make speeches as an election agent. Whilst he was on this subject, he desired to call the attention of the Committee to other names, as well as that of Mr. Gillotte, the postmaster in St. Roch. He did not know if the Minister of Marine and Fisheries had taken action in connection with the complaint he had made about Commander Lavoie.

SIR ALBERT J. SMITH: I have taken action about it.

MR. LANGEVIN said Mr. Labelle, a lighthouse-keeper at Bic, had also been canvassing in Rimouski county. The county was full of those lighthouse-keepers canvassing.

SIR ALBERT J. SMITH: I have information that there are a good many of our lighthouse-keepers actively canvassing on the other side.

MR. LANGEVIN said if the hon. gentleman had the information, he knew what to do. A number of officers of this House were now out of their offices, and had gone down to take part in the Local Elections in the Province of Quebec. Mr. Bienvenu, one of the translators, had left his office for this purpose, and he had been replaced by a young man just out of college, because he bore the same name. Mr. Pitan had been also allowed to leave his office in this House and go down there, and this country was paying him to canvass in Lower Canada, against one political party.

MR. DYMOND rose to a question of order.

MR. HUNTINGTON asked the hon. gentleman to discuss the Post-Office Estimates first, and to go into these other matters afterwards.

MR. LANGEVIN said he had called the attention of the hon. gentleman to the fact that one of his officers was canvassing in Rimouski.

MR. HUNTINGTON said Mr. Phileas Gillotte was merely paid a percentage, like any other postmaster. Did the hon. gentleman want to lay down the rule that a postmaster had no right to express his opinion?

MR. LANGEVIN said this was a salary. It was not like the case of a country postmaster. Why should the country be paying this man to canvass in Rimouski? It was the same thing with Commander Lavoie. If they could do this, why should not also Mr. Pitan or Mr. Doyon, or Mr. Kierskowski, translators of this House? Hon. gentlemen said they desired to separate the affairs of the Dominion from the affairs of the Local Governments, but they allowed their officers to canvass for their friends.

MR. SPEAKER said a very serious charge had been made against the management of the House of Commons. Mr. Bienvenu had, three or four weeks ago, applied to him to have his brother accepted in his stead, on the staff of the French translators, stating that he had urgent business requiring him to be away. He (Mr. Speaker) insisted upon having from Mr. Courselles indirectly, a statement that the young gentleman was competent to do the work, and he believed he was now on the staff. Mr. Pitan applied for leave of absence on the ground of illness in his family and got it on that ground only. If Mr. Kierskowski had left; he had done so without his leave or knowledge. Mr. Doyon had given up his position.

MR. LANGEVIN said Mr. Kierskowski had gone into the county of Ottawa and made speeches at the church doors.

MR. SPEAKER said he was not aware of it.

SIR JOHN A. MACDONALD said this was a very grave charge as the Speaker had said. One man, under the pretext of private business, had gone off and got his younger brother appointed. Mr. Pitan had told a false-

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hood, and had gone electioneering; he ought to be discharged.

MR. MACKENZIE: Did the hon. gentleman always dismiss every official who took part in an election. If my memory does not fail me, one of the principal officers in this Department was on a platform with the hon. gentleman denouncing his political opponents.

SIR JOHN A. MACDONALD: What officer?

MR. MACKENZIE: Mr. Moylan.

SIR JOHN A. MACDONALD said Mr. Moylan was at a public dinner given to him at Peterborough at a time when he was there on duty. That was the only time he remembered Mr. Moylan's being with him. But here were three officers who got leave of absence at a time when the Premier said they could not get the returns down with sufficient rapidity.

MR. MACKENZIE said they did not make out the Returns. He recollected one of the hon. gentleman's deputy adjutants-general appearing in New Brunswick in an election.

MR. MITCHELL: Who?

MR. MACKENZIE: Mr. Inches.

MR. MITCHELL said he had never heard of it. He might have been in his own country, and, if so, he should have been turned out; but he was never in the northern part of the Province.

MR. BLAKE said Mr. Moylan was connected with the Penitentiaries Service, and he was not aware that there was a penitentiary at Peterborough.

SIR JOHN A. MACDONALD: He was travelling all over.

MR. MACKENZIE: There is no penitentiary west of Kingston.

MR. LANDERKIN said that but for the indignant appeals of the hon. member for Charlevoix (Mr. Langevin) he would not have mentioned certain incidents which had occurred in his own riding a few years ago. Although a postmaster there, an appointee of the late Government, had actively and earnestly canvassed against him, he would have thought it beneath him to have taken steps towards his dismissal, or to

have publicly noticed his conduct in any way, but for the remarks which had been made to-night. A gentleman in the township of Osprey, named Archibald McIntyre, had written a letter to Hon. Archibald McKellar in regard to the elections. That gentleman had sent a reply which, as it afterwards transpired, was one of which no gentleman need be ashamed. This reply, marked "private," had arrived at the post-office when the gentleman to whom it was addressed was from home, but a friend of his, Mr. McKay, had called and obtained the letter and had left it in his own box until he was ready to return home. In the meantime, the postmaster, the gentleman to whom he had before referred, had given out the letter to an Alex. McIntyre.

AN HON. MEMBER: Did he belong to the party of letter-stealers?

MR. LANDERKIN: Yes; he was opposed to him (Mr. Landerkin). Mr. Alex. McIntyre, he was informed, handed the letter to another party who gave it to Mr. Jackson, the candidate of the Conservative party, and, notwithstanding the fact that the letter was "private," that McIntyre, the "Conservative candidate" did not hesitate to violate the sanctity of private correspondence to gain a political party advantage. The illegal and disreputable means used to obtain this letter were connived at by the whole of the Opposition press who endeavoured to convey the idea that the Hon. Mr. McKellar (who was a member of the Ontario Government) was endeavouring to use improperly the influence of the Crown to carry the election, when such was not the case at all, as the letter was not intended, nor did it indicate the least impropriety on the part of that gentleman. Cases of this kind were not rare under the old Government; and when the hon. member for Charlevoix must be so well aware of the interference of officials under the old regime, it was a matter of surprise that he should endeavour to prejudice public opinion by such specious declamation.

MR. HUNTINGTON said he would like to ask the hon. member for Charlevoix whether he would join with

him (Mr. Huntington) in making it an offence punishable by dismissal for civil servants to interfere in elections. This was the proper way to look at the business. Speaking as an individual and not as a Minister, he would say he had no doubt that civil servants should serve the country and not a party. Would the hon. gentleman apply the principle he had mentioned to political enemies and friends alike. If this rule were adopted, the hon. gentleman would be obliged to go to more political funerals in a short time than he dared say the hon. gentleman had time to attend. The hon. gentleman knew how it was himself, and for the hon. members for Charlevoix and Kingston to rise, he would not say with simulated indignation, and complain that civil servants were interfering in politics, after their history, was a piece of sweet declamation, the like of which he had rarely seen. If postmasters were salaried they came within the limit, while, if paid a percentage, this was not always the case, some received \$10, and some more. The line had never been drawn. The hon. member for Kingston seemed to see in this a very grave case, when a young man went home to see a sick mother, and another to see a sick wife, and said solemnly that he did not believe the story. It was possible that both these young men had gone down to canvass in the election, and it might have been very improper that they should have gone. The hon. gentleman had heard the Speaker's statement in this relation, and had accepted it. He wished an answer to his question.

MR. LANGEVIN said that civil servants, no matter to which party they belonged, should not interfere in elections. They were paid to attend to public duties, and they should not leave their offices to canvass for either party, whether they were under the direct control of the Government or under the control of the House. To do so was highly improper.

MR. Fiset said that if the theory laid down by the hon. member for Charlevoix was accepted, the Government would be justified in making a *rasade*, and in dismissing any number

of employes appointed by the late Administration. This Government had acted with great moderation in this respect. A large number of employes appointed by the late Government were well known to be working directly against the Liberal party, and yet they were not dismissed. The names of these persons could be given. A civil servant should be permitted to express his political opinions; and the hon. member for Charlevoix should be the last man to take the position which he had assumed on this question.

SIR JOHN A. MACDONALD said that the rule which, as far as he knew, had always been adopted in their time, and which he believed, was according to law, was that postmasters in towns and cities that drew salaries, were specially deprived of their votes by law, he believed. He knew that the postmaster at Kingston had, in ignorance of the law, voted for him, though he did not interfere in the election, and that an action had been brought against this official to recover the penalty. But postmasters paid by percentage were in very many cases always understood to hold the offices for the convenience of the public, more than for their own emolument and advantage; and they were always considered at liberty to vote, and not to be civil servants in the strict sense of the word. As regarded civil servants generally, he thought that the rule was proper that, while allowed to vote, they should in no other way interfere in elections. This was the correct principle, and the principle which was in their day carried out, and he dare say that with same occasional infringements by hon. gentlemen opposite, it had been also observed by them. Then he spoke of a greater matter, he did not refer to voting or political predictions, but to the absence of employes at the end of a Session in the utmost press of business. These were sessional officers, and it was alleged that they obtained leave of absence on false pretences, deceiving the Speaker. If this had been done in order that they might act as electioneering agents, he thought that everybody on both sides would agree that a very grave offence had

MR. Fiset.

been committed, which should be punished.

MR. LAURIER said that he knew for certain that there was illness in Mr. Pitan's family; and this was why he had gone down.

SIR JOHN A. MACDONALD: The hon. gentleman says so, and that is the end of it.

MR. MITCHELL said he wished to complain of the fact that Mr. Ellis, who held the leading postmastership in the Province of New Brunswick, being postmaster at St. John, was nevertheless connected with the *St. John Globe*, for which he wrote editorial articles, and in which he had an interest. These articles were not only most violent, but of the most virulent character, directed against the opponents of the present Government. This was highly improper. Mr. Ellis and Mr. Armstrong, who was now dead, had dissolved partnership, and the former had since taken in two young men from the office with him to manage this paper.

MR. BURPEE (St. John) said he was assured by Mr. Ellis himself and other parties in St. John, that Mr. Ellis had had no control over and no interest in the *Globe* newspaper since his appointment as postmaster. This was the understanding at the time, and he believed this had been done. Mr. Ellis' salary was \$2,400, which was also given in Halifax and other towns of the same size.

MR. MITCHELL said that the public announcements he had seen contradicted the correctness of the statement that Mr. Ellis had severed his connection with the *Globe*. He was satisfied that Mr. Ellis still had an interest in that paper, and controlled the sentiments uttered in its columns.

SIR ALBERT J. SMITH said that Mr. Ellis was a very efficient officer. It was distinctly understood when the appointment was made that he was to cease to have any connection with the *Globe* newspaper. He could not say positively that this had been done; but this was the understanding at the time.

MR. MITCHELL said that Mr. Ellis was postmaster when he dissolved partnership with Mr. Armstrong. And

he was informed, on very credible authority, that Mr. Ellis was now carrying on this business with the aid of two assistants taken from the office of the paper.

MR. HUNTINGTON said with regard to two returns mentioned by the hon. member for Charlevoix, that if collusion had existed which resulted in the withdrawal of tenders, this was very improper. In any case, where this was known to have occurred, it had been seriously dealt with by the Department. But it might be that the hon. gentleman, unless he had heard the details by means of a telegram, had been misinformed, as party feeling was very high in Charlevoix County. The Department, however, had no knowledge of it. If the facts were as mentioned, \$500 had been lost to the Department. As to the St. Lawrence service, the experiment had been made of sending the mails over the Grand Trunk, and of ferrying them over to Murray Bay. This was believed to be a very great convenience. The sum of \$2,000 was paid to the Grand Trunk Company in this relation, and this source appeared to be a very great advantage. The land service did occasion some inconveniences; but the hon. gentleman had made the case out a deal worse than it was. They would have had to send the despatches to the Governor General at Tadousac all the same if the steamers had been running, but this special service only occurred once, and it was a matter of no consequence. The hon. gentleman said that according to the report of the Inspector they had made a bargain with Martin to pay \$12 for the round trip and to give another man \$4 for the round trip to be continued for thirty-three months, and had not advertised for tenders. The period was short, and if they had so advertised, the hon. gentleman would have complained that no work had been performed. The thing was quite impossible, and this complaint fell to the ground. The hon. gentleman's statement showed that the service performed below by steamer was not a daily service; and they were now seeking to supply a daily service as far as Murray Bay. The Department was

compelled to admit that the service to Murray Bay was not satisfactory. It was an experiment. They thought that the steamers might take the mail for a reasonable price as far as Murray Bay, but the steamers would not do it. They charged at the same rate for carrying mails from Murray Bay as from Quebec. Therefore he could not make any arrangement with regard to the postmaster at Quebec East.

MR. CARON asked whether arrangements had been made with the Montreal, Ottawa, and Occidental Railway to carry the mails over that line.

MR. HUNTINGTON said no arrangement had been made nor any negotiations entered into.

MR. DECOSMOS asked why there was a decrease of \$10,000 in the Estimates for postal service in the Province of British Columbia; why the contractor for the mail service between Victoria and Nanaimo had been allowed to throw up his contract, and whether that contract had been given out without calling for tenders; whether it was intended to fulfil the treaty with British Columbia as to steam service between San Francisco and Victoria; and whether the Government proposed continuing Mr. Bernard as mail-carrier between Yale and Cariboo, without calling for tenders.

MR. HUNTINGTON said, with regard to the \$10,000, the Government had estimated for \$10,000 last year, more than they expended. With regard to the second enquiry, the contractor could not fulfil his contract, and the inspector recommended the Government to give it to another steamer which was done. As for Bernard, he did not exactly know what to do with him, and would consult with the hon. gentleman about it. The treaty with British Columbia for mail service was not a matter connected with his Department, but there was no change in the policy that he knew of. The correspondence between Victoria and Puget Sound was not completed, but he hoped it would be in a few days.

*Vote agreed to.*

84. Lachine Canal..... \$2,000,000

MR. MACKENZIE said this was for the payment of existing contracts, amounting altogether to \$4,470,873, of which, up to 31st December, last, there had been paid \$2,992,711. The estimate for the current year had been somewhat exceeded, and it would be necessary to take a supplementary estimate.

*Vote agreed to.*

85. Cornwall Canal..... \$250,000

MR. LANGEVIN asked when that contract was given out.

MR. MACKENZIE said it was given on the 23rd August, 1876, and to be finished on 25th April, 1879.

MR. LANGEVIN: Is it likely to be completed then?

MR. MACKENZIE: I think so.

*Vote agreed to.*

86. St. Lawrence Canals.....\$46,000

MR. MACKENZIE said that item was for the Galoose Rapids. The canal had yet to be deepened.

*Vote agreed to.*

87. Welland Canal .....\$2,500,000

MR. MACKENZIE said there were 36 contracts in all, the aggregate amount of which was \$9,514,207. To this must be added the cost of clearing the land, engineering expenses and exceptional expenses of various kinds.

In answer to Mr. PLUMB,

MR. MACKENZIE said he believed the contracts were all let.

In answer to Mr. KIRKPATRICK,

MR. MACKENZIE said the last contract let was to be finished in April, 1879. He did not include the aqueduct, which was to be finished in 1881, and, in the meantime, the old aqueduct would be improved so that vessels drawing 12 feet of water could pass.

MR. McCALLUM said he had been very glad to hear the hon. the Minister of Public Works say that the policy of the Government was to get fourteen feet of water from

MR. HUNTINGTON.

Fort Erie to Montreal, and he should be glad if that were brought about as soon as possible. We were losing money by not having that arrangement. The trade of the West was going by Buffalo and the Erie Canal. The hon. gentleman had not stated the amount it would take to raise the locks from the Summit down to Port Dalhousie. He wished they would do that at once, because the policy of the American Government was to divert the trade through the Erie Canal. There had been an increase of 55 per cent. of vegetable food cleared through the Erie Canal, while there had been a decrease through the Welland Canal of 19 per cent. On the other hand, there had been a decrease of heavy goods sent through the Erie Canal, and an increase on the Welland Canal. The Americans had made a reduction of the tolls last year, as he had predicted. As long as they had the advantage of two feet of water in the Buffalo harbour, the trade of the West would go that way; but if we had 14 feet of water in the Welland Canal, the trade of the West would come through our own territory. It was breadstuffs which paid the tolls, not coarse freight. He would like the Minister of Public Works to state if the Government intended to lower the culverts on the feeder, because, when the water was high, it flowed on to the land of that section. He trusted the Government would, as soon as possible, deepen the canal so as to give 14 feet of water.

MR. PLUMB said he desired to supplement the appeal of the hon. gentleman for a 14 feet depth. He showed the enormous amount of freight which was being carried on American railways, and cited a leading in a newspaper published in Albany in which it was urged that the tolls on the Erie Canal should be completely removed. The policy of the State of New York had been to reduce the tolls year by year, and every effort would be made to retain the carrying trade on that Canal. This was a matter of most vital interest for us. Buffalo controlled the great trade of the West, and was the most serious rival our Canadian cities had to contend

with. The Welland Canal was one of the competitors with the Erie Canal, and the railways of New York, and, perhaps, those of Pennsylvania, and he regretted that the period of the completion of the enlargement of this canal was to be delayed. An enormous sum had been spent on this work, and this would lie idle for some time, returning no interest. One of the most important sections seemed to be that between the Mountain at Thorold and Port Dalhousie, and he was informed by an engineer of the very highest standing, that there was great danger of the outlay between Port Dalhousie and the top of the mountain at Thorold being lost, owing to the washing of the banks, to the constant action of the water and the peculiar nature of the clay and soil, and the action of the frosts. These influences would do exceedingly great damage to the locks, bridges, and other parts of the basin. He was also told that the lock at Port Dalhousie had been found not to have been properly based, and that there was evidence that this work had sunk. He was sure that the tardy letting of the aqueduct, was a most serious thing in connection with the enlargement of this canal. This had been done some time in August or September, and he was informed that the old aqueduct could be made to answer a purpose, though not the purpose for which the enlargement was intended. He regretted exceedingly, in the interests of the country generally, and of those engaged in trade, that, when this matter was brought up in the House some six or eight weeks ago, and the statement was made that these works would be completed in a year or eighteen months, the hon. member for Lincoln, who was a practical business man, had corroborated the statement that this work would be done in a very short time, and also endorsed the action of the Government in this respect. In these days of rapid transit, when the most constant vigilance was necessary to prevent the loss of a little portion of the carrying trade, it was unfortunate that the most important of all public works—and he did not except the Intercolonial Railway—the key of the whole system of navigation upon which such an enormous sum had

been expended, should have been so far delayed as to threaten the loss of this trade, which they had been seeking and were willing to make such great sacrifices for. The policy of the late Government in this regard had been wise; and this Government would have been wise had they pushed forward this work as rapidly as possible to successful completion. The period of great depression in trade and of stoppage in railway construction, when labour has been begging for employment, was peculiarly favourable for carrying on this work. Under the circumstances, they had reason to complain of so much tardiness, and of the condition of the Welland canal, which was very much like that of the man who built the roof of his house without having built the lower stories or laid the foundations at this canal was very nearly completed at each end. Large outlays had been made upon it, and he believed that the greater part of the most expensive masonry between the top of the mountain at Thorold and Port Dalhousie was now finished. The money was no doubt paid over; and these works were earning nothing, while they were exposed to damage. The public interests had suffered seriously in this connection. There were reasons for supposing that these works had been unnecessarily delayed. He was surprised to have his hon. friend (Mr. Norris) approve of the statement that this canal could be completed in a year or 18 months, when he must have known that this statement was misleading. It had been pretended that it was possible to get navigation by way of the Lake Champlain and the Champlain Canal to New York; but this was utterly impossible. The Champlain was a small canal belonging to the State of New York; the larger proportion of the population of this State was interested in maintaining the navigation of the Erie Canal. The Commissioner who had gone to Washington prepared to sacrifice Canada's interests to obtain reciprocity, had wished to stipulate for the use of the influence of the United States Government, in order to secure the enlargement of this canal by that State; but all who knew any thing about the matter laughed at this state-

ment because the Federal Government had no influence whatever over the Legislature of the State. The scheme was a foolish one, and impracticable. He trusted that every effort would be made to push forward this work on the Welland Canal to completion. He was disappointed in the progress which had been made on this most important work, which was the key stone of the whole arch of our system of navigation. He wished to ask the hon. the First Minister whether the contract No. 1 which was in the hands of Mr. Larking of St. Catherines, was transferred by Denison, Belden and Co., or whether the Government had made a new contract, and whether the other contracts standing in the name of Denison, Belden and Co., were still being carried on by these gentlemen.

MR. MACKENZIE: So far as I know they are carried on by these gentlemen. Mr. Larkin got the contract himself. It was not assigned to him by any one.

MR. PLUMB: Was it obtained by tender?

MR. MACKENZIE: Yes.

MR. PLUMB: Was it the lowest tender?

MR. MACKENZIE: It was the lowest tender in this way. Denison, Belden & Co. were the lowest tenderers, but they had been accused by the authorities of the State of New York of having been concerned in frauds in connection with the Erie Canal, and the Government thought it desirable not to give them the contract, and it was given to Mr. Larkin, the next lowest tenderer, at their prices.

MR. NORRIS said he was glad the Government intended taking up the work of deepening the canal to 14 feet at an early day. The extra cost required, \$900,000, would yield a better return than any money yet spent on the canal. He did not see why the banks from Thorold downwards should suffer damage even if the water were not let in for a year or two. In fact, it was necessary that these banks should lay for some time before letting in any water, in order to strengthen them. The work could not be pushed on at once. The aqueduct itself would

MR. PLUMB.

take a longer time to make than any other section of the canal. It was necessary that time should be taken to complete such works.

MR. McCARTHY said he was glad the Government saw the necessity of deepening the canal to 14 feet of water. He thought the hon. the First Minister was in error in stating the work would be completed in June, 1879. He did not think the work would be completed for two years, even with twelve feet of water.

MR. MACKENZIE said the income from the Welland Canal last year gave a surplus of \$114,000 and the surplus on the Ottawa Canals was \$16,847. On the St. Lawrence Canals there had been a loss of \$37,821, on the Rideau Canal \$35,227, and the total net revenue from these Canals amounted to \$53,000. The net revenue for the year ending 30th June, 1875, was somewhat large; it amounted to \$68,000.

MR. MITCHELL: Is that the net profit earnings of the Welland Canal over and above working expenses?

MR. MACKENZIE said it was; but it did not include the interest on capital.

In answer to Mr. McCALLUM,

MR. MACKENZIE said his impression was that the Canal Commission reported in favour of twelve feet instead of fourteen feet.

MR. LANGEVIN said he believed it was twelve feet on the St. Lawrence Canals, and fourteen feet on the Welland Canal.

MR. MACKENZIE said it was very difficult to get a depth of twelve feet in the harbours on the lakes. The depth of water at Chicago and Milwaukee was not more than twelve feet. The Public Department at Washington estimated the cost of making a depth of fourteen feet from the bed of Lake Superior and Lake Erie at \$3,000,000, with the clearing out of the Detroit, St. Clair and St. Mary Rivers, and that did not include the work properly within Canadian boundaries. An application had been made to the Canadian Government to join them in some of



this work, and they had agreed to pay in proportion to the tonnage and trade of Canada. That had led to some hesitation. It had been the policy of the United States, however, to dredge out harbours more than had formerly been done, and he (Mr. Mackenzie) had felt it necessary to adopt the policy to reach the same depth in the space of time, and to make our permanent structures such as to give the depth of 14 feet. The Government would consider the statements of hon. gentlemen, but he could not pledge himself to anything, because they had to consider the financial position of the country and other matters. He had not yet been able to take the feeder matter into consideration, but they hoped soon to be able to reach that and remove any grievance that might exist.

MR. MCGREGOR said that a vessel at Chicago could come out drawing 15 feet of water, and at Milwaukee from 14½ feet to 15 feet. At present the American shipping were actually drawing 14 feet of water between Buffalo and Chicago. It was necessary for us to have 14 feet as soon as possible.

MR. MCCALLUM said his hon. friend from Northumberland thought the canal ought to pay a percentage. He had in his hand a statement of the income of the canal for the last ten years, and the expenditure for staff and repairs, which was as follows :

Years.	Expenditure for Staff and Repairs.	Income.
1869.....	\$76,393.00	\$236,876.00
1870.....	81,793.00	246,190.00
1871.....	101,649.00	254,961.00
1872.....	92,164.00	299,740.00
1873.....	92,013.00	275,979.00
1874.....	110,932.00	271,597.00
1875.....	154,632.00	313,711.00
1876.....	141,134.00	251,663.00
1877.....	109,742.00	220,570.00
1878.....	114,359.00	230,537.00

Thus, in 10 years, the gross amount received was \$1,601,846, and the amount expended for the staff and repairs was \$1,074,795, showing a net profit of \$1,527,051. The net increase was \$1,527,051; so, after all, this was not a very bad statement for the Welland Canal. There was a large in-

crease, particularly with regard to the staff and repairs on the St. Lawrence Canals; but the figures for the staff and repairs were all mixed. They knew, of course, that the depth of 14 feet for the Welland Canal was an after-consideration. There might have been some mistakes committed in letting out the contracts. Some works that took the longest to do, had been let out last, but he did not know that he blamed the Government very severely for this; but still some mistakes had been committed. The Welland Canal was a great work; it was not being enlarged as far as he would like to see it, but it would be a credit to all parties concerned when it was done. The deep cut was not, and could not be, walled up, as hon. gentlemen said; and so there was nothing sure about it. This cut was sodd, the bank was being removed from it, and, when the water was taken out of the canal, he looked for a slide in it, though it would not be anything serious. No other public work in the Dominion paid as well as the Welland Canal, which was an accommodation to the people of this country, while otherwise it yielded considerable revenue.

Vote agreed to.

88. St. Anne's Lock and Canal....\$50,000.

In answer to Mr. LANGEVIN,

MR. MACKENZIE said that it was part of the scheme to build a new lock entirely, with a new entrance behind the present pier, between the present lock and the village; and it would also be necessary to excavate the lock at the head of the canal for some distance. The depth on the present mitre sill was from 6 to 7 feet, and the scale of navigation for the river had been, he thought, 9 feet. The work, which had been progressing, had been on the shoal immediately below the lock. The bottom of this lake was composed of a series of ridges like waves of earth running generally in a north-east direction; and a cut had to be made through one of these ridges at that place. The contract was let some years ago, and it should have been finished long ago. It was progressing somewhat slowly but surely, and was,

he thought, nearly completed. It was with a view to finish it, and, perhaps, to make a beginning on the larger work that this small vote was at present asked. The entire work would require, Mr. Page estimated, an expenditure of nearly half a million, from first to last, in order to complete it. It was not at present considered necessary to commence the new lock, but it was merely now intended to complete the other works. He could not say that the lock was absolutely finished yet, but it was either finished or very near it. \$118,000 had been spent on it.

MR. ROCHESTER said he had understood last year that this work was then finished; he had passed through it. The work below St. Anne's was completed.

MR. MACKENZIE: Some piers are to be built yet.

MR. ROCHESTER: Not below; but there may be above.

MR. MACKENZIE: Yes; I think below.

MR. ROCHESTER said that the channel at St. Anne's at low water was fearfully crooked.

MR. MACKENZIE said a sum of money would be spent in providing piers.

*Vote agreed to.*

89. Carillon Lock and Canal.....\$240,000

In answer to Mr. ROCHESTER,

MR. MACKENZIE said it would be a long story to give information under this head. This work had been entirely suspended since last May or June, and no arrangement had as yet been come to with the contractors, and this was a matter on which Mr. Page was now engaged. The contractors were R. B. Cook & Jones. The contractors would prefer to give up the dam across the river altogether, and prosecute the other parts of the work, but the engineer objected to any division of the contract. This matter had given a great deal of trouble and anxiety to himself, and he had endeavoured to come to some arrangement which would be in the public interest,

MR. MACKENZIE:

and, at the same time, reasonably satisfactory to the contractors themselves. It was precisely in such a position at present that he preferred not to discuss the question, as it would be a matter of public inconvenience to be obliged to do so. This question was in dispute and it had given them a great deal of trouble. The Committee should be satisfied with knowing that it was the purpose of the Government to have the matter in such a state that when the water came to the lowest stage they would be in a position to prosecute it with the utmost possible vigour.

MR. ROCHESTER said that the river trade naturally demanded that something should immediately be done in this regard. The Chute à Blondeau Lock was in a most dilapidated condition, being propped up with planks and iron bolts. This dam and slides, if built, would do away altogether with this lock.

MR. MACKENZIE: I am quite aware of that.

MR. ROCHESTER said that the foreman had told him last Fall that he did not believe these locks would stand this year. They were paying from 25 to 40 per cent. for carriage between Ottawa and Montreal more than they ought to pay, simply because this work was not completed. He hoped that some arrangement would be made by which these locks would be put into such a position that they would answer the purpose of trade during this season at all events.

MR. WHITE (North Renfrew) said that the trade of Ottawa was suffering severely owing to the non-completion of these works. No work had what-ever been executed, despite the assertion to the contrary in the report of the Minister of Public Works—if he was correctly informed—upon the Carillon Canal since May 1877.

MR. MACKENZIE: I stated that myself.

MR. WHITE said yes; but no preparation so far as they could see had been made for recommencing work on this canal for the present season or up to the present time.

MR. LANGEVIN said it was to be regretted this work had not been proceeded with. When the question of constructing Carillon Canal came up in 1873, a meeting was held of all the interests concerned, not only of Ottawa but of the Upper Ottawa, Montreal and Quebec. It was, after grave deliberation, decided that this work should be completed. Plans were drawn and the contract was awarded to the present contractors. No reason had been given why, after five years had passed, this work was not completed. He had been told there was a difference of opinion between the Department and the contractors about a certain portion of it under water, which the contracts claimed should be considered as extra work. If there was any doubt about this difficulty it could be submitted to arbitrators, and if decided in favour of the contractors, the Government should ask for a vote for the money required.

Vote agreed to.

90. Grenville Canal..... \$250,000

MR. MITCHELL asked who was the contractor for this work.

MR. MACKENZIE: Mr. James Goodwin. A change was made in 1871 and again in 1873. In 1873 the matter was referred to Mr. Page, and he made a report, upon which Mr. Goodwin executed the work done.

MR. MITCHELL said that the present Secretary of State, in order to carry the elections of 1874, and in the absence of the Premier, had promised Mr. Goodwin a very large increase in the rock work, which had enabled Mr. Goodwin to make a fortune out of the contract instead of losing one.

MR. MACKENZIE: That is not true.

MR. MITCHELL said he was referring to rumours and reports, some of which he believed to be true. He did not know whether there was a particle of truth in that statement.

MR. MACKENZIE: There is not a particle.

MR. MITCHELL said he believed Mr. Goodwin changed his politics about that time, and he believed the increase was part of his condition in doing so.

MR. MACKENZIE: I repudiate the insinuation of the hon. gentleman as one of the grossest falsehoods ever invented. Whoever invented it, I care not who he is, is a base scoundrel at heart.

MR. ROSS (West Middlesex): And whoever repeats it.

MR. MITCHELL said he believed there was some foundation for the rumour. He had not imputed it to the hon. gentleman, because the story, as he had heard it, was that the transaction either took place through the Secretary of State or another member of the Cabinet, whom he had heard named in connection with it.

MR. LANGEVIN said he was afraid the Minister of Public Works had not seen the papers, or, probably, he had forgotten them. Mr. Goodwin had laid his claims before the Government, and when the works were proceeding in 1873, the Chief Engineer made a report in reference to them. This additional work had been given to Mr. Goodwin, because he could do it cheaper than anyone else, having the plans already on the ground. This was on the 1st October, 1873. He had recommended Mr. Goodwin's case, which was laid before the Government, but he found some difficulty in coming to a decision about it. The matter was referred to Mr. Page, the Chief Engineer, for information to learn as to how much Mr. Goodwin was entitled, but this did not at all bind the action of the Government. This was done on the 30th October, 1873, and the Order-in-Council was dated the day following, so any action taken on Mr. Page's report, the hon. gentlemen opposite were responsible.

MR. MACKENZIE: I stated that.

MR. MITCHELL: You did not.

MR. MACKENZIE said that he had stated precisely what the hon. gentleman had detailed.

MR. MITCHELL: Not at all.

MR. MACKENZIE said that he gave an extract from the minute of Council dated Oct. 31, 1873; that the matter was referred to Mr. Page, to say what Mr. Goodwin should have; that many months afterwards—he could

not recollect the date—Mr. Page had reported, and that the Government accepted and acted upon this report. He could not give the exact date of Mr. Page's report, but the Government had accepted his report. As to the previous rise in prices, it was accomplished wholly by the hon. gentlemen opposite, who said it was for a different class of work. That might be the case, but, according to his recollection, it was the same class of work, merely deepening the canal. It was as easy to quarry rock six feet down as four feet down. He was not competent to say whether \$1.50 was too high a price or not. If the work was of an entirely different character, why did not the hon. gentleman ask for new tenders?

MR. LANGEVIN: Because the contractor was there, and it was more economical to give him the contract.

MR. MACKENZIE said he did not say that money was not saved by giving it to the former contractor. He merely argued from the hon. gentleman's premises. He stated the simple fact that the work had been done before at \$1.30 and it had been paid for at \$1.50. The Government accepted the hon. gentleman's recommendations and referred the matter to Mr. Page, whose report was accepted and acted upon, and constituted practically the contract under which Mr. Goodwin was carrying on his operation.

MR. CURRIER said when the works were given out by the late Government the locks were neither to be so large nor was the canal to be sunk so deep as afterwards. The policy was changed afterwards to give nine feet of water instead of six; therefore it was more expensive to sink the timber of that lock three feet deeper, because the water had to be pumped out, and a cellar had to be sunk to put the lock in. Mr. Page was instructed to see whether the schedule of prices should be changed for this work.

MR. LANGEVIN said he did not recollect exactly what the plans of Goodwin were, but he was under the impression that he was dissatisfied with the measurements, and claimed he was

MR. MACKENZIE.

not paid properly. The matter was referred to the Chief Engineer, Mr. Page, to ascertain what amount of money Mr. Goodwin was entitled to, not what increased rate he was to receive.

MR. McCALLUM said any one could see that it cost more to quarry out a foot of rock at the bottom than a foot at the top.

Vote agreed to.

91. Culbute (improving approach to Canal.....)	\$24,000
93. Miscellaneous.....	10,000

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at

Five minutes before

Three o'clock.

## HOUSE OF COMMONS.

Saturday, 27th April, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### QUEBEC BUILDING SOCIETIES ACT.

#### BILL IN AMENDMENT PROPOSED.

MR. HOLTON asked the unanimous consent of the House to the introduction of a Bill. Last Session a Bill was passed respecting Building Societies in the Province of Quebec, the provisions of which in incorporated towns were to come in force on 1st July, 1878, and in all other parts of the Province on 1st July, 1879. It had been represented to him that bringing the Act into operation in respect to incorporated towns would result in great inconvenience, and would be injurious. The object of the Bill he wished to introduce was to extend the time for the Act coming into force in incorporated towns to 1st July, 1879.

MR. LANGEVIN said there had not been a petition to the House representing the state of things referred to by the hon. member for Chateaugay, and

he did not think it would be right to change all the rules of the House when no complaint had been made.

MR. HOLTON: Of course that is final.

#### GOVERNMENT OFFICIALS IN ELECTIONS.

##### REMARKS.

MR. LANGEVIN said he had to bring a matter of importance before the House, and in order that he might do so in the proper manner, he would move the adjournment of the House. It was well known to the House, and it was known in the country, that certain officials of the House, and certain servants of the Government, were now employing their time in electioneering in the Province of Quebec, instead of doing the business for which they were paid by the country. Among these officials were four of the official translators. One named Bienvenu, had applied to be replaced by his brother while he went canvassing; another named Pitan, who got leave of absence on the plea of illness in his family, had been able to appear on the hustings in the county of Drummond and Arthabaska, and speak in the interests of the present Government of Quebec. The Postmaster at Quebec East was engaged electioneering at Rimouski. Damase Labelle, a lighthouse keeper, was also engaged in the same way. Kierkoskowski, another translator, had been working in the county of Pontiac; and Auguste Leduc, a temporary clerk in the Department of Agriculture; Aumont, another translator, who went away on the plea of sickness, and Tobin, a messenger in the House, were also away canvassing. Lusignan, a clerk in the Inland Revenue Department; Loucks, postmaster at Hull; and Goudin, President of the Ottawa Ward Reform Association in this city, all Government officials, had been busy in the interests of the Quebec Government in the county of Ottawa. Several sessional clerks were also engaged electioneering. To allow officers to go away in that manner, and for that purpose, was at once unfair and unjust. They were paid officers of the county, and it was their duty to devote their time to the service of the country, and

not in the interest of a party. This was his justification for bringing the matter before the House.

MR. JONES (Halifax) said it must be a matter of congratulation to the House that the hon. member for Charlevoix had at last been converted to views so long advocated by the Reform party while they were in Opposition, and practiced by them since they had come into power. It seemed to make a very considerable difference in the opinion of the hon. gentleman that the actions which he alleged had taken place on the part of some of the officials of the Dominion Government were directed against the hon. member's own friends. He (Mr. Jones) was not aware of what had been the practice in the old Provinces of Canada since the Union, but speaking of his own Province, from the date of Union, while hon. gentlemen opposite were in power, they had never lost an opportunity of influencing every officer of the Government under their control, not merely to vote against the Opposition candidates, but to work, to canvass, and to use their official positions against the Local Government of Nova Scotia. In 1867, when the hon. member for Charlevoix was a member of the Government, one of the hon. gentleman's colleagues, the Minister of Customs of that day, had sent a despatch to his officials at Halifax directing them to vote against his (Mr. Jones') colleague and himself, and in favour of the gentlemen who were supporting the Government of that day.

MR. WHITE (East Hastings): Was that wrong?

MR. JONES: Certainly it was wrong.

MR. WHITE (East Hastings): Then why are you doing it now?

MR. JONES: We are not doing it now. When the despatch he had referred to was shown to these officials some of them had come to him expressing their regret that under the changed state of affairs since the Union, and in the face of express orders they had received from the head of their Department in Ottawa, they did not feel at liberty to vote for his colleague

and himself. The hon. member for Charlevoix (Mr. Langevin) was then at the head of the Department having control of the railways of Nova Scotia and similar orders had come from him to every man belonging to the railway department, and every official and workman on the road was marched up to the polls under the leadership of the superior officers of the Department and voted against his colleague and himself. As the hon. gentleman knew, his conduct in that respect was the cause of the change made in the franchise by the Local Government of Nova Scotia, by which officers of the Federal Administration in Nova Scotia were placed in a position beyond the dictation of any man or any Government, a position in which he (Mr. Jones) believed the public opinion of the country would say every official of the Government should be placed throughout the whole Dominion. Those men were servants of the country, and not of the party, and many of the officials in Nova Scotia who had been disfranchised by the Provincial law were grateful that they had been placed in such an independent position—a position above the control, the dictation, or the command of any Government. The hon. gentleman knew very well, for he had been made aware of it at the time, that when he was in the Government the railways of Nova Scotia had been prostituted for the service of his party during the elections, that it only required a man to say he was going anywhere in that Province to vote for a Government candidate in order to have railway accommodation furnished him free of cost. When the hon. member for Cumberland (Mr. Tupper) had done him the honour of visiting Halifax, not long ago, the first man he had applied to for the purpose of arranging for a political meeting between him (Mr. Tupper) and himself (Mr. Jones) was an officer of this Government drawing \$1,100 or \$1,200 a year from the country. The hon. member for Cumberland had, over his own signature, referred him (Mr. Jones) to this gentleman as one who would act in his behalf.

MR. TUPPER: You mean the last contest?

MR. JONES.

MR. JONES: Yes.

MR. TUPPER: Who was the man?

MR. JONES: Mr. Allison.

MR. TUPPER: All I can say is that I did not know he was receiving any salary from the Government.

MR. JONES: The hon. gentleman surely knew that he was in the employ of the Meteorological branch of the Marine and Fisheries Department?

MR. MITCHELL: I thought he gave that up.

MR. JONES: The hon. gentleman thinks a good many things that do not happen. The official to whom he had alluded had not only arranged political meetings on behalf of the member for Cumberland, but had appeared on a platform and denounced the Government in whose service he was. It was a matter of notoriety that the Government offices in this city were crammed by the political friends of hon. gentlemen opposite, and before he (Mr. Jones) joined the Cabinet he had found fault with the Premier that he did not exercise his authority, and tell those gentlemen that if they were to be the servants of the country, they must be faithful to the Government of the day, instead of, as in many cases, as was known, being in the service of hon. gentlemen opposite. These men must be placed in a position where neither one nor the other could dictate to them, and where they could be independent. If they chose to take these positions, these men must abandon interference in political affairs and in the interest of the country, the public should have full confidence in them while they occupied such positions. He begged to congratulate the hon. member for Charlevoix on the change in his views, and on the view he now took diametrically opposed to the practice of the hon. gentleman and his friends during the time that they had the opportunity of exercising it; also because he believed that the hon. gentleman had now seen the false position in which he placed himself while in power. The hon. gentleman now felt that everything was changed; his own bull was gored, so to say; and, conse-

quently, the hon. gentleman assumed an air of intense indignation, and, whether right or wrong, he brought a certain charge with reference to employés of the House and Civil servants of the country. He at least congratulated the hon. gentleman on arriving at the conclusion which they had endeavoured to impress upon the late Government while they themselves were in Opposition.

SIR JOHN A. MACDONALD said that, in the first place, he denied altogether the statement of the hon. gentleman that Mr. Tilley had acted as was represented.

MR. JONES: Mr. Tilley admitted it in this House.

SIR JOHN A. MACDONALD said he did not believe that Mr. Tilley had admitted it.

MR. JONES: I say he did.

SIR JOHN A. MACDONALD said he ventured to say that Mr. Tilley had never sent a communication directing and commanding, or in any way ordering these men to vote.

MR. JONES. Mr. Tilley admitted it in this House.

SIR JOHN A. MACDONALD said that they would look this matter up. As to the action of the late Government respecting railway employés in Nova Scotia and New Brunswick, his hon. friend from Charlevoix could speak. This was the old cry—"tu quoque, the late corrupt Government did so and so, and all kind of monstrosities, offended against Constitutional law and against the Independence of Parliament, and used the Civil Service machinery for the purpose of keeping their corrupt and effete Government still longer in power against the wishes of the people. But this was to be all cured and to be done away with when this Government took office. The Golden Age was to return. The country was to have purity, and the Golden Age was to be restored. No more were civil servants to work at elections. No more was the independent elector to be approached by Government influence or Civil Service influence. This country was to be restored to the age of Adam and

Eve before she ate the apple. This was the promise made to the country by hon. gentlemen opposite, but the Minister of Militia did not deny the statement made by the hon. member for Charlevoix. He did not attempt to do so; he said: "It does not rest in your mouth to bring up this kind of thing"; and yet the hon. gentleman wound up by congratulating his hon. friend from Charlevoix on his change of opinion, and on coming to the principles so long advocated by the Liberals of Canada. Yes; it was a long time advocated. Ever since he had been in Parliament they had heard charges brought that the corrupt Conservatives were corrupting the population, and that the time-honoured principles laid down by the Liberal party could only be carried out by, and would never be carried out until, the Liberal party came into power, and then all this was to be changed. But, had they made this change? The only retort that the hon. gentleman could make—he did not deny the charge, he could not deny it, he could not refute or palliate the charge—was: "You are another." This was the course taken by the hon. gentleman. And what did he say? The only fault he found in the present Government before he went into it—and this was not a fault now, of course, since the hon. gentleman had gone into it—was that the late Government had crammed the Civil Service with political friends. But, was this Government cramming the offices with political foes? Every Government selected for the Civil Service their own friends, and no one could object to it. This was done everywhere except in England, where competitive examinations had carried sway over both the Government and Opposition, and where the idea of patronage was gone altogether, save in exceptional cases; but it was always the case in that country before the era of competitive examination, and it had always been the practice in Canada. The hon. gentleman would not say that since they had come into power, any appointments they had made had not been from among their political friends. No; their political friends and supporters would not allow them to appoint political foes; and nobody would

expect it. There was no doubt about it. The hon. gentleman said he advised the Government to remove, and remonstrated against the Government because they did not remove, men who were political agents, and who were acting politically among the Civil Service. Why did the hon. gentleman not ask Mr. Speaker to remove these men now, when it was stated, and was not, and could not be denied, that these men had been allowed to go and work at elections. They knew what the Premier had said more than once, that a man or party, who did not carry out, when in the Government, the principles advocated when in Opposition, was no better than a demagogue. He held the hon. gentleman to his words. The hon. gentleman (Mr. Jones), said that the time-honoured principle of his party advocated for years, was that the Civil servants should not interfere in elections. Let the hon. gentleman carry out this principle now. This charge was not only that these men voted. He was not in favour of the principle laid down by the hon. the Minister of Militia, that because these men had the confidence of the Crown, they should be deprived of their franchise; and hon. members would all remember that when Mr. Dorion introduced the ballot system as a member of the Government, and Minister of Justice, he said that one of the reasons for introducing the ballot was to enable all the Civil servants to vote freely and independently. This was one argument, and he would be very sorry to see the Civil servants deprived of their votes because the Civil servants should stand on an equality in this respect with their fellow subjects. He now contended, and had always contended, that the Civil servants should not be political agents. They should have the right to vote, and the Government of the day and heads of the Departments should give them fair opportunity to do so—he would not say, as non-residents, for that would be sending them away from their offices; but the Government should sternly put down their foot against the Civil servants becoming political agents; and it was no answer to bring up vague charges like *tu quoque* arguments, until they went into this discussion,

SIR JOHN A. MACDONALD.

and had name by name and person by person mentioned. If an opportunity for doing so was presented, he did not say that the late Government could defend and justify themselves. Here they found a postmaster gone away—not a mere way-side or percentage postmaster, but a salaried officer, for he believed that the postmaster of Hull was salaried.

MR. HUNTINGTON: No; if he was he would not be postmaster long.

SIR JOHN A. MACDONALD said he would be liable to action, though an action would not lie. The decision was given that although there was prohibition to vote, still, owing to the repeal or amendment of the Post Office Act, actions had dropped out and such voting was not punishable in that direction. This was a stronger case than even one connected with Government services. Mr. Speaker belonged to no party; he should not be supposed to be so; and here it was stated that Mr. Speaker had given leave of absence to his officers—officers of the House, though they were now at the end of a busy Session. Mr. Speaker sat there as a Judge, and yet he had been granting leave of absence, and no person who knew Mr. Speaker's ability and personal sagacity, and political impartiality could not but be aware that Mr. Speaker knew perfectly well why these men applied for leave of absence.

Some Hon. MEMBERS: Order, Order.

SIR JOHN A. MACDONALD said that he was not out of order. Mr. Speaker would not say that he was out of order. If Mr. Speaker committed any negligence or error, then it was their bounden duty to tell him so; and no man could say that he was out of order. He was acting within the strict line of his duty; and, unless this was denied authoritatively, they must hold Mr. Speaker responsible for having, in the middle of the Session, when every officer for the convenience of the House, should be at his post, and when the members themselves were sitting until 3 o'clock in the



morning, allowed these men to go away, one on the pretext that his family was ill; and his family, indeed, was so ill that this man had to go and make a political speech on the hustings on nomination day. A Messenger of the House had been permitted to go away; and this man should be here to run messages. This was intolerable. If the House did not resent it, the country would; and he was very glad that the matter had been brought up by his hon. friend.

MR. HUNTINGTON said he dared say the hon. gentleman was quite sincere in deprecating the *tu quoque* arguments; and, as he had occasion already to remark, the Government would have very little standing room if they had no justification for their course other than to state that the right hon. member had, himself, done the same thing. The hon. gentleman indulged in very free criticism regarding the acts of Mr. Speaker on a statement which, up to this time at all events, had not been proved; and he set the example to his followers, which they seemed not to be slow in following, of making remarks about the rulings of Mr. Speaker, which he had never witnessed in this House until the hon. gentleman had led the Opposition. The hon. gentleman's object was to reach the country; he did not seem to have much hope and expectation from the action of the House, and in order to reach the country, he had made a very fervid speech. What were the facts? Did the hon. member from Charlevoix complain that because these servants of the House were absent, their duties were not properly fulfilled.

Several HON. MEMBERS: Oh, oh.

MR. HUNTINGTON said that the hon. gentleman and the right hon. gentleman spoke as if it was a serious crime for servants of the House to engage into a political discussion, notwithstanding their own course for 20 years in this country. And supposing that all that had been said was granted, where were these employés of the House? If the hon. gentleman's insinuations were to be believed, these men were fighting the battle of friends in the Local Government of Quebec,

and yet the right hon. gentleman expected a condemnation, and claimed that the impropriety was as great as if they had interfered in Dominion elections. The case of the postmaster at Quebec had been discussed, but this official was engaged in local elections, over which the authority here had no jurisdiction.

Several HON. MEMBERS: Hear, hear.

MR. HUNTINGTON said the hon. gentleman, the previous evening, when less excited, had declared that postmasters, whose salary and emoluments came from commissions, were entitled to have political views and to express them.

SIR JOHN A. MACDONALD: I say so yet.

MR. HUNTINGTON said that this was the case of this postmaster, about which the hon. member for Charlevoix had lamented so much. He maintained that the position taken, that the Dominion Government was to undertake to interfere with regard to local interests in the Province of Quebec, was absurd; and the only complaint that hon. gentlemen opposite could make would be because the business of the House was suffering from such absence. They had no jurisdiction over these matters. Hon. gentlemen opposite talked about these men being paid by the public, but they were not paid when away; they were made Sessional clerks and the country was safe in this respect. So far as he could see the business of the House did not suffer.

MR. McCALLUM: They will be paid no doubt.

MR. HUNTINGTON said he did not blame the hon. gentleman for expressing his opinion, because his knowledge of these things was derived from past experience. But he could tell the hon. gentleman that a new rôle was being played in this country; and that men were now only paid for duties they performed. Hon. gentlemen opposite lamented not the interference of Government officials in the Dominion, but in local elections over which this Government had no jurisdiction, and with

which they had nothing to do. The only ground on which complaint could be made was that the public service suffered; and he defied any man in the House to show that this service suffered at all. The hon. gentleman drew a very philosophical distinction between Civil servants voting and exercising an influence; but if they had a right to vote by law—and this was the case—it was illogical to urge and persuade the Government to give them the right to vote, but to prevent them disseminating their views.

SIR JOHN A. MACDONALD: Is that the new principle?

MR. HUNTINGTON said that this was not his principle; he believed that Civil servants should be entirely dissociated from the politics of the country. He regretted to say that this was not the right. It was illogical to say that these persons had the right to vote, but not to express their views on political matters; the only consequence of the doctrine which the right hon. gentlemen preached was, that the Civil servants of the country should be relieved, as his hon. friend from Halifax stated, from the incubus which hung over them, and from being pressed in this connection perhaps by the responsible and temporary heads of departments. He had the evening previous tried to get the hon. member for Charlevoix to say that he condemned this system, but the hon. gentleman talked all round this question. The ultimate result of this would be a much worse system; and perhaps they would yet see here, the evils which this system had attained in the United States. How long would the right hon. gentleman preside over departments there? He knew that conspiracies were going on against him, under his very eye, among his political adversaries in these Departments; that information had been furnished his opponents, and that it was in the power, more or less, of the officers around him to strengthen the hands of his antagonists. How long would elapse before the hon. gentleman would, under these circumstances, initiate the system, that to the victors belong the spoils. He made the right hon. gentleman the prediction, that if the state of things which

MR. HUNTINGTON:

existed to-day continued, and if Civil servants were permitted and encouraged to mix with politics, and if the Tory party returned to power, the man who led this party in this country would initiate the doctrine of turning out political opponents, and would introduce the American system. The hon. gentleman shook his head; but what had ever stood in the way of the hon. gentleman and his friends, in regard to inflicting their vengeance or punishment on those who oppose them, and strengthening themselves as they might. The whole subject lay in this: the complaint might be well or ill-founded.

SIR JOHN A. MACDONALD: Hear, hear.

MR. HUNTINGTON said that if it was well founded, the only question that arose was, whether the business of the House suffered; and if there was a secondary question it was this: "Have you a right to insist that we shall interfere in the local elections in the Province of Quebec?" Speaking for himself, he thought that it was improper for Civil servants to be mixing up in the politics of the country. He spoke for himself and not for his party in this respect. He presumed that different views might prevail, as was the case opposite, behind the right hon. gentleman; but this was the only question, and so far as he knew, there had been no such inconvenience suffered as to warrant hon. gentlemen in making a complaint.

MR. TUPPER said the hon. gentleman could scarcely charge the right hon. member for Kingston with being illogical, after the very extraordinary speech he had just made. The hon. gentleman deprecated in the strongest terms the possibility of such a state of things occurring in this country as that which existed in the United States, where, on a change of Government, officials were dismissed from office on account of their political proclivities. In enunciating a doctrine of this kind, the hon. gentleman carried the feelings of both sides of the House with him, but at the same time he defended a course of action which inevitably tended to involve the state of things referred to. If, in a politi-

cal struggle, members of the Civil Service were allowed to go out and take an active, energetic part in such a struggle, a state of things such as the hon. gentleman said would be a great misfortune to the country, would be brought about. He thought the hon. gentleman was still more illogical when he said that, because this struggle was a Quebec and not a Dominion one, office-holders of the Dominion were free to take part in that struggle. One of the cardinal principles put forward by the leader of the party to which the hon. gentleman belonged, had been the entire severance of Dominion from local politics, and it would be exceedingly improper for the Dominion Government to interfere with local matters. It would be doubly culpable to give leave of absence to Government officials to engage in the local struggle in the Province of Quebec. Another fallacy which the hon. gentleman had propounded was, that before there could be any impropriety in giving leave of absence to Government officials, it must be shown that they neglected their duties. Now, the very fact of their absence showed that their duties were neglected. If they could be absent from their office without neglect of duty, they ought not to be in these offices at all, the public service did not require them. It was a fraud on the interests of the country that parties should be employed to hold offices who, even at the most laborious part of the Session, could leave their duties without their absence being felt. He would not deny office-holders the right of franchise under the ballot, but it was contrary to the spirit of the ballot for office-holders to go to the polls for the purpose of helping the Government of the day. When he went home to his own county at the last election, and officers of the Government, who were warm supporters of his, asked him what he expected of them, he said: "Attend to the duties of your office." He did not think it right that Government officials should go about for the purpose of supporting him by the energetic exercise of their influence. He would undertake to say that the statement made by the hon. member for Halifax to the effect that Mr. Tilley,

when Minister of Customs, sent a note to the officers of the Custom-house at Halifax, was not well founded in fact.

MR. JONES (Halifax): Mr. Tilley sent a telegram through the head, or some other official at Halifax, saying it was the request of the Government that the officers should vote for the gentleman opposing my colleague, myself, and the members of the Local Government.

MR. TUPPER said he was glad to find that he had obtained a retractive statement from the hon. gentleman. The hon. gentleman said before, that the words "directed and commanded" were used, and he (Mr. Tupper) was glad that the expression had been toned down to the modest word "requested." He believed the hon. gentleman was right in saying that a message was sent by Mr. Tilley who, while he might express the hope that the officers of a Department might be prepared to support the Government, certainly never directed or commanded them to do so. If his hon. friend the member for Charlevoix had, as Minister of Public Works, commanded the railway officials to take a certain course—he (Mr. Tupper) never heard of it. Nor did he know that railway tickets had been issued by the Department to persons for the purpose of getting them to vote in a certain way. He did not believe that had ever been done, and an investigation would, he doubted not, prove this to be the case. Now he came to the case of Mr. Allison, and here he might state that he did not place himself in communication with Mr. Allison. He received a telegram from that gentleman asking him to hold a public meeting at Halifax on as early a date as possible. He (Mr. Tupper) telegraphed back, saying that if Mr. Allison could arrange with hon. gentlemen opposite for a meeting on any convenient night he would have no objection to go. On his return to Halifax, he (Mr. Tupper) addressed a note to the hon. Minister of Militia, saying he would be glad to have a meeting, and named Mr. Allison as a person with whom arrangements could be made. Mr. Allison, he might remark, was not a servant of the Government.

in the usual sense. Being a gentleman of high scientific attainments, his services were partly obtained by the Government on the Meteorological staff at a salary of \$400 a year, but he obtained his livelihood from a business of his own to which he devoted most of his attention. On reference to the Public Accounts it would be found he was correct in stating that this was all Mr. Allison was paid by the Government, with the exception of \$300 for assistance.

MR. JONES (Halifax): Take the next item.

MR. TUPPER: "F. Allison, \$200; assistant, \$100."

MR. JONES: That is \$1,000 altogether.

MR. TUPPER said the \$200 was for telegraph stations. He did not think the case put forward by hon. gentlemen opposite was quite made out. He thought the ballot—whatever might be said about it—had this merit, that it enable Civil Service *employés* to exercise the franchise. He did not think, therefore, that it would be right to prevent Civil servants from exercising that privilege.

MR. BLAKE said it was amusing to contrast the tone of the debate on this subject as it had now been presented by hon. gentlemen opposite, with the debate which took place during the first Session of the present Parliament on the motion for papers in reference to the alleged removal of Doctor Strange for having actively interfered in the election of the hon. member for Kingston. On that occasion the hon. member for Kingston brought forward the doctrine that public officers had a right to interfere in election contests. He insisted that Dr. Strange had, by reason of his conduct, done nothing to disentitle him from continuing in his position. The hon. member for Kingston affirmed on that occasion that it was the right of public officers to interfere actively in election contests. If he remembered well, the right hon. member had stated that they might interfere one way, but not the other way. And the right hon. member was rather driven to that

position because there had been cited to him a case or two of his own, in which some postmasters had been removed for having actively interfered in an election contest against a Postmaster-General of his. He (Mr. Blake) had been obliged, on that occasion, to state his dissent from the hon. gentleman's proposal. He had stated then, what he believed now, that he differed *in toto* from the right hon. member for Kingston, and that he did not think it followed that, because Civil servants were allowed, under law, to vote, they should be allowed to take an active part in an election; that if a public officer had any influence and was allowed to interfere, he would be expected and obliged to interfere. He had then quoted the despatch of the Duke of Newcastle in Mr. Hamilton's case. The whole of that discussion was in answer to the speech of the right hon. member for Kingston who then held views diametrically opposed to those stated to-day. He maintained that those views which he (Mr. Blake) had then expressed, and which were, to a considerable extent, those which the right hon. member for Kingston now held, after four years experience, were sound views. Previous to this, before the ballot was introduced, and when the Liberal party was in Opposition, he (Mr. Blake) had the honour of proposing a motion in amendment to the Election Law, disfranchising Civil servants from voting. He believed that that class of our fellow-countrymen could be safely entrusted with due regard to the efficiency of the public service, with the franchise under the ballot system; but the ballot had not then been introduced, and, under the rule of hon. gentleman opposite, there was no expectation of getting it.

MR. TUPPER: We carried it.

MR. BLAKE: No.

MR. TUPPER: The question came up on the Election Law, introduced by the right hon. member for Kingston, who stated that the ballot was an open question and the majority of the House, including a large number of members of the Government, voted in its favour; and

MR. TUPPER.

the Election Bill was withdrawn in order to bring in the ballot.

MR. BLAKE said he was speaking of the time before the election of 1872. The hon. gentleman and his colleagues were taught many lessons by the elections of 1872. Before them, they had refused election trial by judges; after them, they brought in a Bill to grant trials of elections by judges. Before 1872, they refused the ballot, they unanimously voted against it. Every member of the Government voted against it.

MR. TUPPER: The hon. leader of the present Government announced that he was opposed to the ballot, and is opposed to it now, and announced that within the last year.

MR. BLAKE said he did not know what that had to do with the discussion. He had been pointing out the attitude of the late Government. After the election of 1872, the late member for Charlevoix (Mr. Tremblay) proposed a Ballot Law. Upon that occasion a vote was taken, and the Government bowed to the decision of the House, and withdrew their Election Bill, but that decision was one to which the leader of the Government and the bulk of its members were adverse. He had been referring to the attitude of the late Opposition with reference to the disfranchisement of the public service. He had entertained the hope that the protection of the ballot would have been sufficient to permit the public service of this country to retain the franchise, as under the existing system. He had changed that opinion, and his opinion now was that as long as the system of appointments by patronage existed, in order to produce a fair degree of efficiency and zeal on the part of the subordinate servants of the Government, who had been appointed, perhaps by the opponents of the party in power, who entertained strong aspirations for the return to power of these opponents, and who were animated with the bitterness, which unfortunately, pervaded party contests in this country, they must be disassociated altogether from party politics. Untold difficulties had beset the Government now in power from the strong, active partizan

feeling of the servants who were nominally under its power, out of whom, in all cases, it had not the benefit of their full service. To retain the system of allowing them to vote, with some undefined limit as to how far they might interfere and canvass, and use their influence, would not lead to such an active degree of efficiency as ought to prevail; hon. members would, when this interference benefited their party, declare that public servants should be allowed to actively interfere and not be dismissed on that account, and when the interference was in favour of their opponents, arrive at an opposite conclusion. If an attempt were made to lay down by resolution, that permanent Civil servants should not actively interfere in political contests, the difficulty would arise of defining where the line should be drawn. What extent of interference should be permitted? So long as nomination by patronage continued, resulting generally, in the appointment of warm friends of the party in power, it must be agreed in the course of time that public officers must disassociate themselves altogether from the field of politics. He read a despatch from the Duke of Newcastle, with reference to the case of a Civil servants's interference in politics, and said that the weakness of the Duke's position was that it was open to the suggestion that a man might interfere actively on one side and not on the other. It was utterly unreasonable and inconsistent with any true freedom of action that a man might be permitted to interfere on behalf of the Government of the day and not against it. Everything pointed to the position that a public servant should be neutral—that he should have nothing to do with politics, that he should not consider himself the servant of the majority or the minority, but the servant of the whole people; that he should have such relations to the members of this House that the most active partisan on either side might have free, frank, and friendly communication with him on public matters, and have the right to expect perfectly fair play. His slight experience on both sides of the House led him to the conclusion that the public service of

this country would never want able and efficient men, even if they passed a resolution that they should not interfere in politics, and if that were done he believed we should have a better public service than we had now. Notwithstanding the lateness of the Session, he hoped some fruit would result from this discussion. While the present law was on the Statute-book giving the members of the Civil Service the franchise, they could not prevent them from exercising it, and he should not object to any one or every one of them recording their votes. But there was a concurrence of opinion among both parties that their right ought to be simply the right of voting, and that any public servant who went farther than that went beyond the line of his duty, and deserve censure, if not dismissal. He said dismissal. Now he had one word to say with reference to Mr. Speaker. He congratulated him on the degree of fairness which had been observed in the attack made upon him. It was true it was made at a time when he could not answer it, but he had yesterday in Committee been enabled to disprove the accusation before it was repeated. It was unfortunate for him, after those two leaves of absence had been explained by him, after he had said that Mr. Bienvenu had applied for leave to attend to private business, and Mr. Pitau on account of illness in his family—it was unfortunate, it was to be regretted, it was to be deplored, that the leader of the Opposition had denied Mr. Speaker's statements, had imputed motives to him, knowing that the statement of the hon. member for Charlevoix involved a very grave charge against him. He understood the hon. member for Charlevoix had accepted the explanation of Mr. Speaker yesterday. He was sorry the statement should have been renewed, and renewed in the fervid, not to say violent, terms which had been used by the leader of the Opposition. He doubted not that the country would appreciate the circumstances justly.

MR. WHITE (East Hastings) said there were in this House about forty sessional clerks employed, fifteen or twenty of whom were employed in the public works, the remainder were employed in sending communications

MR. BLAKE.

favourable to the Government to those Government newspapers which could not afford to keep correspondents at Ottawa. Why did not the hon. member for South Bruce stop this abuse. The hon. gentleman knew well that if he and the hon. member for Chateauguay (Mr. Holton) were to use their influence, the hon. the Minister of Public Works would not dare accord to these men the position they now occupied. So long as this Government, or any other Government, used public servants to work in their behalf, so long the Opposition had an equal right; but, in any case, this country could not afford to pay Civil servants and allow them to use their time in taking part in elections. He admired the determination and honesty of the gentleman; and were he leader of this Government, he (Mr. White) would consider himself bound to support him. The hon. the First Minister knew those officers had left their offices and had gone canvassing, and, if the Government were sincere, they would dismiss those officers from the public service. He charged the Government with having sessional clerks in their employment who never filled one sheet of foolscap for public service, but simply wrote letters to newspapers in opposition to members in this House. And yet the hon. gentleman supported a Government that employed men to vilify public men in this country who were known to be of the most upright character. The public mind was poisoned by these sessional sneaks. So long as men of this character were employed, so long would they have bitterness, hatred, malice and envy in this House. The head of the Government had found fault, when he was in Opposition, with the employment of too many Civil servants; but, as a matter of fact, more Civil servants were employed under the present Government than under their predecessors, and there were more idlers now than then. The Minister of Finance knew it well. He (Mr. White) wished he would come to East Hastings, and explain this matter. When he was there before, he promised the people a duty on grain. He promised to do this and that.

MR. CARTWRIGHT: Does the hon. gentleman mean to say I ever promised

to put a duty on grain? Because, if he does, I must give him the most unqualified contradiction.

MR. WHITE: When the hon. gentleman was in Belleville, he was a visitor in a certain house; and in Thurlow, Mr. Wallbridge stated publicly that, at tea the previous night, the hon. gentleman had said that, as soon as the Government got established, they would put a duty on grain.

MR. CARTWRIGHT: My hon. friend ought not to quote such a statement four or five years after, and at second-hand, a statement which was made utterly and entirely without the slightest particle of authority, if ever such a statement was made.

MR. WHITE said he was glad the hon. gentleman said so. The people of East Hastings would judge whether he was to be considered worthy of belief. He alleged that the Government were paying clerks to send news to Reform papers, intended to damage their opponents. The money voted for this purpose had better be expended on public works; and it would be better for these young men, to whom he had referred, to have an axe in their hands than to do this with which they were charged.

MR. LANGEVIN said the Minister of Militia had stated that, while he was Minister of Public Works, he (Mr. Langevin) had directed that the officers under him in the Maritime Provinces should be compelled to vote for the Government candidate.

MR. JONES (Halifax): That you directed them to vote.

MR. LANGEVIN said the hon. gentleman was misinformed. He had never directed that any officer should be directed to vote.

MR. MACKENZIE: Did you request them to vote?

MR. LANGEVIN said it had always been against his policy, and that of the Government to which he belonged. Even here in Ottawa, when an election was taking place, he would not tell the Civil servants to vote one way or the other, or that he wished them to vote. But if an officer came and asked his leave during office hours, to go and

vote, he had told him to arrange it with his comrades. He never knew from the beginning how any of the men were going to vote. It was stated that the railways were used for the free conveyance of voters for the Government candidate. He could say if the voters did not pay their fares, it was not with his cognisance, connivance, or by his orders. He was very much pleased to hear the hon. member for South Bruce use the words he did, for he expressed the opinion that the Civil officers should not be permitted to take part in elections, except so far as recording their votes. There were many more things in which he and the hon. member for South Bruce agreed; in fact, their minds seemed to be a great deal in accord. The fact that the officers to whom he had alluded were not in their offices, proved that, either the public service suffered by the absence of the officers, or they were not required.\* There were seven of them belonging to this House already away. They were paid while they were away, and the House had to face the question, whether they were wanted or not. It was a fact that one of them would speak in Pontiac at a church door to-morrow, and would not be back before the end of the election. They were paid by the Government, and it was only right they should be in attendance upon the House, and not engaged in electioneering. He had thought it his duty to bring the matter up, and his justification was the Government allowing officers to go electioneering. These public servants, should not be deprived of their votes, but they should not mix up in politics or canvass; they should attend to their business, and simply vote. Last summer, when the election took place in the County of Drummond and Arthabaska were in progress, this same Mr. Pitan, who was now canvassing in that county, was on the hustings alongside of Mr. Bourbeau and the hon. the Minister of Inland Revenue; and he had met this man at church doors canvassing and speaking in favour of the Government candidate.

MR. LAURIER: Mr. Piteau is simply a sessional clerk, and not a permanent officer of the House.

MR. LANGEVIN said that this practice was very unfair, and should not be allowed. As the hon. member for South Bruce had stated, these men were the officers, not of one party, but of the whole of the people of Canada; and, therefore, they should not be allowed to leave their duty and canvass.

MR. MACKENZIE said that the Government had not allowed this to be done. He had never heard it whispered till last night that any person in the service of the Government was going on any electioneering mission. He was not aware of it at this moment, except from what the hon. gentleman said. He did not approve of it, and he would not permit the thing to be done. This was the ground he took. But, did he understand the hon. member for Charlevoix to say that he never intimated to employes of the Public Works Department how they were to vote?

MR. LANGEVIN: I do not remember having ever said so.

MR. MACKENZIE: Does the hon. gentleman mean to say that he never made any arrangement such as the Speaker was charged with making, allowing one person to go away and putting another in his place?

MR. LANGEVIN: I do not remember it.

MR. MACKENZIE: You have no remembrance of that?

MR. LANGEVIN: No; none.

MR. MACKENZIE: Well; on the 13th of August, 1872, he found the following telegram, sent from Hector L. Langevin, dated at Ottawa, to Mr. Prefontaine, the Superintendent of the Chambly Canal:

"I learn that several of the employes of the Government on the Chambly Canal are working against the Ministerial candidate. The Government does not force any one to vote, but it expects that its employes will not act against the Ministerial candidate."

MR. LANGEVIN: That is right.

MR. MACKENZIE said that there must have been an answer to this, because on the same day another telegram was sent to the same party as follows:—

MR. LAURIER.

"A. Lacoste will give you the names of the men who wish leave of absence to-morrow, and you will replace them, if necessary, by good men. I want that leave.

(Signed)

HECTOR LANGEVIN.

SOME HON. MEMBERS: Hear, hear.

MR. MACKENZIE said that the hon. gentleman was most industrious in taking care that all the workmen on the canals should be apprised that he could not approve of their working against the Ministerial candidate. Oh, certainly not. They would have the liberty to vote, but they were not to open their mouths and express an opinion; but if they wished leave to go and vote for the Ministerial candidate they were to get it, and men were to be put in their place; but it was a shocking thing for the Speaker to allow a man to go down to an election and another person to take his place; and Mr. Speaker must be abused by a prominent gentleman opposite, at the time when Mr. Speaker had no power to say a word in reply, because he was charged with doing the same thing which the hon. member for Charlevoix had defended vigorously in this same official style. The hon. gentleman desired, no doubt, that all the employes in the public works should vote for the Ministerial candidate; and when the superintendents of canals were informed that while they might they would not be forced to vote; but that they did expect that they would not work against the Ministerial candidate, it was a pretty plain intimation of what was to follow, if they did work against the Ministerial candidate. Anything more suggestive of a threat could not well be put in writing; and he had, no doubt, the hon. gentleman sent similar messages to the Intercolonial Railway to intimate what he desired should be done there also. He did not think that the time of the House should have been taken up in discussing this matter at such length. He had no fault to find with the hon. gentleman for calling the attention of the House to the fact he said he had ascertained; but he (Mr. Mackenzie) did say that hon. gentlemen opposite could not complain if the *tu quoque* argument was used against them. They had no



right to complain. He had showed last night, and the hon. leader of the Opposition had admitted, that this hon. gentleman had a prominent official with him on a regular electioneering tour appearing on the platform. The hon. gentleman then said that this official was on Penitentiary business, though 150 miles from the nearest penitentiary. He had always taken the ground that minor officials should not be precluded from either voting or canvassing; those who held nominal positions should have this liberty. He had put his views on record in the House, and he had no desire to change these views now.

MR. BOWELL: These are not the views of your colleagues.

MR. MACKENZIE: Yes; they are.

MR. BOWELL: Not of your past ones.

MR. MACKENZIE said that these were the views of his colleagues as well. The view that the Government took was, that the Civil servants should not engage in active electioneering. He happened to know some prominent officials who, during the last election in this city, were very active electioneering agents. He did not choose to interfere at the time, but he did state in his place in the House, at the close of last Session, that anything like what they had to suffer in consequence of this prevalence of political feelings in the Departments, would not be overlooked if it was continued. It was quite enough that they should have the right to vote under the law; but it was altogether intolerable that Civil servants should actively engage as electioneering agents; and, so far as the Government was concerned, it entirely discountenanced the practice.

MR. BOWELL said there were one or two points connected with this discussion to which he thought that the attention of the House should be more particularly called, and which Mr. Speaker and the officers of the House who had charge of the appointment of sessional clerks should bear in mind and not forget. They had the important statement made by the hon. member for East Hastings, that he was aware—he presumed that the hon.

gentleman must have known it, or else he would not have made the statement—that sessional clerks on the staff had not done any work at all for the House or Government since their appointment, but had been occupied, since they were placed on the staff, as correspondents of Ministerial newspapers, to abuse the members of the Opposition. Whether this was the case or not he did not know, but he thought that, it having been stated in the House, it was the duty of those who made these appointments to ascertain whether such was the fact. When he looked at the return laid before the House two days ago, he found that there were forty-one sessional clerks. He could easily understand that some of these gentlemen, in order to find some employment, probably, occupied their time in such an occupation as that to which the hon. member for East Hastings had referred. When the hon. member for Monck interjected an expression in the remarks of the hon. the Postmaster-General, to the effect that the probabilities were that these gentlemen having received leave of absence would receive their pay during their absence, the reply made was that the hon. gentleman was judging, in all probability, from his own experience, intimating that the hon. gentleman (Mr. McCallum) must have some knowledge of this kind of procedure during the existence of the late Government. If a sessional clerk was appointed, and his pay began fourteen days in one, and eleven days in another case, before the date of the appointment, he thought they had a right to conclude that if given leave of absence, their pay would still go on. In this return it was stated that James McKinley, who received \$5 or \$4—both figures were given—per day, was appointed on the 18th of February, last and, under the heading as to date when pay commenced, he found the 7th February; this gentleman was, therefore, paid for eleven days before he was placed on the staff at all. Another gentleman, W. E. Soare, received \$4 a day, and his employment began on the 5th March, and his pay on the 19th February. Why was this? He did not know in how many other cases this practice had been fol-

lowed, either now or in the past. Why should sessional clerks, who had little or nothing to do, be put on the pay-list, 14 days in one case and 11 days in another, before they were engaged at all. He thought that the hon. member for Monck was quite right, and that they had a right to presume the pay would continue during leave of absence, more particularly when they knew that any Government or private employé, when given a holiday for a fortnight or three weeks, received their salaries during this period. This was the practice with employers, and if they did so in dealing with their own money, it was not at all likely that the Government, or those who managed its funds, would be so very punctilious as to deduct a few days' pay when these persons were away—particularly when the latter, perhaps, were doing the bidding of their employers, and if not their bidding, were at least working in their interest. The very objection which he understood was taken by the hon. member for Charlevoix, although the debate had widened in its character, was, to permission being given to servants of the House to leave their employment, if indeed they had anything to do—and, if not, they had no right to receive pay and should be dismissed—and work in the interest of local candidates who were in the interest of the Dominion Government. This he took to be the hon. gentleman's principal objection. The question was widened into whether officials should vote at all or not, and whether Dominion officials should interfere with local elections. He was not prepared to go so far as some of the gentlemen who had spoken with reference to this matter. He believed in giving the widest possible limit to the subject for the use of his franchise; but hon. gentlemen opposite, while in Opposition, had condemned in the most earnest and vigorous manner the interference, either directly or indirectly, of Civil servants with elections; and, then, the moment they got on the Treasury benches, sent them out by seven or eight to interfere in local elections while under the pay of this House or the Government. The latter were not justified nor

**MR. BOWELL.**

could they be justified by saying: "You did the same thing when you were in power." The Government had to be congratulated, and, if not the Government, certainly the House, for the condemnation they received, and which the officials of the House had received, from the hon. member for South Bruce. This was not only an indirect, but a direct condemnation of all that he done, by those who had anything whatever to do with this matter; but he must confess that it was a little amusing—it must be so to those who had watched events in the past—to hear the gentlemen on the Treasury benches condemn in such strong and vigorous language, such a telegram as was said to have been sent by the hon. member for Charlevoix, when Minister of Public Works, when he said to the Premier that if this was not his opinion it certainly was that of his colleagues. The right hon. gentlemen said that they held similar views; and, perhaps, the hon. gentleman would be surprised if he could read him a telegram of an almost similar character, which had been sent by one of his late colleagues to a country postmaster, whose income scarcely reached \$100 per annum, intimating that this official could not interfere in matters of this kind; and yet, the hon. gentlemen told them that his opinion was in favour of freedom of action on the part of the people, so far as votes were concerned. This telegram was sent by the late Postmaster-General from Alexandria, to the postmaster of Carillon, and it ran as follows:—

"You are reported to me as taking a very active part against the Government candidates for Argenteuil County. I will only add I think you are making a mistake. Government officials should not oppose Government candidates."

(Signed) D. A. MACDONALD.

**MR. MITCHELL:** This is the party of purity.

**MR. BOWELL** said that the hon. gentleman would do well, and he thought that he and his party would do well, to try and carry out in Government—and not become demagogues as designated by the hon. the Premier himself, for not carrying out in power—

all they advocated when out of power. Ever since this Government was in power there had not been an opportunity allowed to pass, whether direct or indirect, that the Ministers had not themselves assisted in interfering with local elections. He might occupy the House for a full hour reading extracts from letters, telegrams and speeches, to show that hon. gentlemen opposite had, since they got into office, violated the very principle which they now laid down. No sooner were the elections announced than translators and postmasters were sent broadcast over the country to aid and assist them. He had, of course, no right to advert to a past debate, but he would say it had been laid down as a principle of this House that where a postmaster's salary, paid by commission, was equal to a fixed salary, he should not be permitted to interfere with the elections. But the Postmaster-General found it convenient to alter matters, under the excuse that the postmaster for Hull had a right to go into the country and electioneer, because, as he was paid by commission and not by salary, he had a right to electioneer. Yet this postmaster's income was as large as many of those in the larger towns of the Dominion. The reference made by the hon. member for South Bruce to the debate of 1874, regarding the dismissal of Dr. Strange, was not pertinent to this discussion. The defence set up on that occasion was that Dr. Strange was not an employé of the Government. But he held that Dr. Strange, as surgeon of a battery, held a military commission, and should, therefore, be entitled to all the privileges of a member of the community. He pointed out, also, that gentlemen holding commissions in the army held seats in the Imperial Parliament, though perhaps opposed to the Government of the day. But because Dr. Strange, who was assistant surgeon of the "A" Battery, exercised his rights as a freeman and electioneered on behalf of the hon. member for Kingston, he was dismissed. He did not mean to deny the right of the Government to cancel any officer's commission, but when they overrode a principle recognized in England, they stretched their authority too far. It was not right, however, that sessional

or other clerks should be employed to do political work which other men would perhaps hesitate to do. He knew for a fact, two or three years ago, a gentleman who occupied a position in the gallery, where he was constantly reporting for the Maritime newspapers, was paid \$4 a day, though he never wrote ten words for the Parliament. He thought those who were responsible for the internal economy of the House should take this into consideration in order that such practices might not be continued. He thought it would puzzle any one to understand what forty-one sessional clerks got to do during the three months the House was sitting. Last year there were only thirty-one. He would suggest as a little recreation for the Minister of War, who was an old volunteer officer, to muster these men every morning at a certain hour and give them some drill. It would be some exercise for him, and it would do these clerks an immense amount of good.

MR. ROSS (Prince Edward) said he wished to remind the late Minister of Marine and Fisheries what was done by his Department during the election of 1872. A deputy was sent to the county of Prince Edward for the purpose of influencing the electors there, and that gentleman admitted that he was sent there by two Ministers of the Crown. He (Mr. Ross) challenged the right hon. member for Kingston and the late Postmaster-General to say that they did not give these instructions. It came to his knowledge that there was a "Smith from below" who went about canvassing, and he found that was the Deputy Minister.

MR. MITCHELL said this was the second or third time the same charge had been brought against the Department which he formerly managed. Now he challenged any one to say that up to the time he quitted the Department any officer of his had, with his knowledge, gone about canvassing. He never gave any authority to "Smith from below" to canvass. Mr. Whitcher was the gentleman in charge of the Department, and "Smith from below" had nothing to do with it. With regard to Civil servants enjoying the right to vote, he might

say this, they were as much entitled to do so as any other men who paid taxes. He would therefore oppose any suggestion to disfranchise them. The hon. member for South Bruce had stated that the Government had experienced great difficulties in dealing with the civil servants, that, in a great many instances, they were hostile to the present Administration, and that the Government found people serving them whose confidence they did not possess, and whose sympathies they did not control. This was a very serious charge to bring against that body, but it was not the first time such slurs had been cast against it by hon. gentlemen opposite. When local or general elections were on the tapis, they threw out these insinuations to influence the Civil servants to let them know that, if they did not vote for the Administration, they would get their deserts in a way they might not expect. He (Mr. Mitchell) would exclude no man, whether a public officer or not, who contributed to the institutions of the country from the right to vote. He would exempt no man from taxation, and every man who contributed to the public treasury should have a right to exercise his franchise. He would further lay down the principle that while public officers should have a right to vote, their influence on the elections of the country should terminate there. He would not countenance their going to church doors to address meetings, and use the influence of their office for the purpose of controlling other people.

Mr. McCALLUM said it was the policy of hon. gentlemen opposite, when in Opposition to oppose any interference on the part of the Crown or the Government with the officials or electors, but when they got into power they forgot their professions and adopted a different policy. He remembered the midnight appointment at the American Hotel, in Toronto, by a Minister of the Crown of the Province of Ontario, then a colleague of the hon. member for South Bruce, and of the now Premier of the Dominion, when he was supplied with funds by the business partner of a certain individual, a relative of the same gentle-

MR. MITCHELL.

man, to influence the electors of Proton. As far as the Civil Service was concerned, he (Mr. McCallum) did not want to deprive the officials of their right to vote according to their principles, one of the objects of the ballot being to destroy the undue influence of the Government. Another policy of this Government, when in Opposition, was, that the Local Governments should be independent of the Federal Government. How was that policy carried out? How did this egg which had been laid in Ottawa, and was being hatched in Quebec, agree with that policy? Perhaps that egg would not hatch as had been expected. They knew that the present Lieutenant-Governor of Ontario, when Postmaster General of this Dominion, sent a telegram to Mr. Mowat, Premier of Ontario, saying: "The river counties will go for you. We are doing all we can for you at Ottawa." They had the avowal of the Postmaster General, saying it was right that the servants of this House should go out through the country to use their influence on the electors, and he admired the Postmaster General for his candour, but the hon. Premier did not agree with him on this point. These hon. gentlemen professed certain principles in opposition, but when they got into power they scattered them to the four winds of heaven. This he could prove by many other instances, but he would not further occupy the time of the House.

Mr. CURRIER said he had the felicity of running two or three elections since this Government came into power. During the last general elections he found several members of the Civil Service taking an active part against him. On the other hand, during the time of the late Government, he had never been actively supported by any of the Civil Service employes, never had any of them canvassing for him nor on any of his committees. He had in 1857, applied to the Government to see what they could do for him, and had received an answer that the Government could not interfere; that it would never do for the head of a Department to interfere in this matter.

SIR JOHN A. MACDONALD said the hon. member for South Bruce had charged him with having disbelieved Mr. Speaker's statement of last night with reference to the leave of absence granted to sessional employés. He was not liable to that charge. The names mentioned were Bienvenue, Pitau and Voyer. The Speaker explained that Mr. Bienvenu obtained leave to go away on private business, and to visit his brother; Mr. Pitau, on account of illness in his family, and that Mr. Voyer had resigned. The hon. member for Charlevoix did not limit his statement to those three, but gave the names of four others, and stated also that Pitau had deceived the Speaker, because instead of attending to his sick relations, he had made speeches at Drummond and Arthabaska. When seven employés had gone down to the Province of Quebec, when elections were going on, it was difficult to suppose that the Speakers did not suspect their motives.

MR. BLAKE said he had given the right hon. gentleman a character for fair play, which now he was compelled to retract.

MR. MILLS said the argument used invariably by the hon. the First Minister was that, upon previous occasions, the former Government had adopted, a similar course. But this Administration should be responsible for its own acts and take precedents from no other Administration, unless the precedents were right. It had transpired that several clerks of the House, at a time when elections were going on in the Province of Quebec, had obtained leave of absence, and had gone to that Province for a different purpose from that for which they had obtained leave of absence. No employé of this House had a right, except for very grave reasons, to leave while his services were required. If any had obtained leave under misrepresentation, they should be dismissed the service.

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

### After Recess.

MR. MACMILLAN said he felt that every person in this country, who complied with the law, should have the right to vote. He objected, however, to Civil Servants having greater rights than other individuals in that matter. Within the last few months an appeal had been made by the Civil Servants against the imposition of an income tax upon them, and so far they appeared to have succeeded. If so, he thought they were clearly out of the pale of the franchise, and were not entitled to exercise it in their own right. If, however, anyone of them saw fit, within the required time, to pay a sufficient amount of income tax, to entitle him to exercise his franchise, he thought he had a perfect right to do it. The Postmaster General said he was prepared to disfranchise the Civil Servants absolutely. If he (Mr. Macmillan) felt that so strongly and had such support, he would bring in a measure to that effect. It was not desirable that the officers of the Civil Service should be placed in a position in which they could be controlled by the Government. But he desired to extend the franchise as far as possible to all who had interests at stake in the country. He did not for a moment suppose that any member of the Government was cognisant of the fact of the gentlemen to whom reference had been made, having left their duties in this House, and gone to the Province of Quebec to exercise their influence on the voters, though they all remembered when a whole body of men from the Central Prison were driven down to the polls to vote against the member for West Toronto. No doubt the Premier would say he knew nothing of that. Possibly he did not; but when he did not deny it, the inference might be drawn he had something to do with it.

MR. MACKENZIE: What have I to do with the Central Prison? I have no more to do with it than the hon. member for East Middlesex.

MR. MACMILLAN said it was not desirable that the Dominion and Local Governments should interfere with one another. He did not think the pre-

sent Ministry should endeavour to justify a wrong on the ground that their predecessors had done wrong.

MR. McCARTHY said it appeared that out of 41 officers or servants of this House, 7, or 6 at all events, had, within the last week or so, obtained leave of absence, and one had resigned. About the last, nothing could be said, as he was no longer receiving the pay of the public, but the other 6, he understood, were still drawing pay from this House. Though they were the servants of this House, they were now actively engaged in a political contest. He understood that the First Minister and two of his colleagues were associated with the Speaker in the Commission on the Internal Economy of the House, and the House had a right to hold the Government responsible for the leave of absence which had been given at this time. He hoped these officers would be punished by dismissal. In regard to the question of Civil servants generally, he was not prepared to say what his view on that would be. It was an exceedingly difficult problem. It was difficult to say that all the members of the Civil servants ought to be disfranchised, and yet if they were permitted to vote, it was difficult to draw the line, and to say where there influence was to stop. He thought the next Parliament should place the Dominion franchise on an equal basis. He regretted that the hon. member for South Bruce, while condemning this proposition, had not done so in more direct terms. When the hon. gentleman was on the Treasury Benches, he agreed with, endorsed and adopted the conduct of his colleagues, but, when out of office, he constantly stood on higher principles, and proclaimed himself superior in his political principles to his former colleagues, and the party with which he still acted. This matter was so grave in the opinion of the hon. gentlemen opposite, that when in Opposition frequent motions were made in the House about it, and when in power they dismissed Dr. Strange, of Kingston, who had a perfect right to do what he did, there was no law forbidding him to exercise his franchise, and promote his political opinions; but be-

cause this gentleman endorsed and supported the candidate of his choice, he was dismissed in a summary manner, and this dismissal was adopted and endorsed, he understood, on the floor of this House. This was the way in which hon. gentlemen opposite said they would punish any interference in this relation. But now what were they to do? The great majority of the Civil Servants were in accord with the Opposition, as regard their political opinions, and yet did they find these officials interfering on the part of the Opposition in this election? He supposed that nine-tenths of the Civil Servants were Conservatives, but they did not interfere in this election, though the remaining tenth was allowed and permitted to do so openly, and to transgress, in the most flagrant manner, the doctrine which had been laid down by hon. gentleman opposite; and no Minister had yet stated that such conduct deserved punishment. He regretted very much that the lateness of the Session prevented them from expressing by resolution that it was improper for Government officials to interfere in elections, and that interference, on either side, should be punished by dismissal. He recognised, distinctly, the doctrine laid down regarding country postmasters, who frequently held office as much for the convenience of the neighbourhood as for their own emolument, and they ought not to be disfranchised, though city and town postmasters were, as a matter of fact, disfranchised. The hon. the Postmaster-General seemed not to be aware of the fact that the Postmaster of Hull had no right under the law to vote; and yet this man was exercising, in a most open and flagrant manner, his influence in this political contest in favour of the Liberal Party. The hon. the Postmaster-General stated that, if this were the case, he would certainly meet with a summary dismissal. He hoped the hon gentleman would be as good as his word. Country postmasters should, however, be permitted to vote and to exercise their political influence. Regarding other officials, it was a scandal, to say the least of it, that men in the payment of the country, who lived on the public money, and who

were as much the servants of one as of the other party, should be permitted to interfere in elections on either side. If one doctrine, perhaps, more dangerous than another had been announced that day in the House, it was by the hon. the Postmaster-General when he said that, because this was a local election they had no right to interfere. What did this mean? That the Civil servants of the Dominion had a perfect right, in the acquiescence of the Government of the day, to interfere in Local elections in favour of the friends of the Government. They knew perfectly that any attempt on the part of Conservative Civil servants to support the Opposition in the Province of Quebec would be very quickly stamped out; but, as long as they supported the present Government in Quebec, the House was told in effect that these men had a right and were permitted to vote. He considered this an exceedingly dangerous doctrine, and one which ought not to find countenance on the floor of the House; and he was sorry to hear it announced by so influential a member of the Cabinet as the Postmaster-General. It was well, on the eve of the Dominion elections, that they should perfectly well understand what the rights of civil servants were. In the constituency for which he was nominated, and which he intended to contest, the most active partisans now supporting the Government candidate were all officials, some of this and some of the Local Government. The Collector of Customs at Collingwood was the most active and zealous official in the country, and a political hack; the License Commissioners for the East and West Riding were also actively engaged in promoting the interests of his opponent, and so with the Inspector of Weights and Measures. These men were living on the public money, and yet they were exercising their influence and lending their time to the support of the Government candidate. He mentioned these persons, because he thought it well that the attention of hon. gentlemen opposite should be attracted to the matter. He understood the hon. the First Minister to say that all civil servants ought not to interfere in the elections, but that some could do so,

and exercise their influence on them. He regretted very much that they did not have this question defined as it had been defined by the hon. member for South Bruce, so limited, there could be no possible objection to it; but the hon. the First Minister's statement left a very wide door open to misconstruction on the part of officials, and to the danger of having the principles which hon. gentlemen opposite had so long and loudly professed transgressed by their servants. He regretted exceedingly their being unable to affirm anything on this subject, not merely with reference to the coming, but to all elections, as to the position which civil servants should occupy with regard to political parties.

MR. COOK said he was very much pleased to hear the hon. member for Cardwell declare his intention or wish that hereafter the servants of the Government should not interfere in election contests. A very few years ago, in 1872, the Government of the day, led by the right hon. member for Kingston, had selected, as the Returning Officer in his riding, a Collector of Customs, Mr. Rutledge, who was then actively engaged, though Collector of Customs, in a personal and public canvass for his hon. friend, the member for Cardwell. His opponent at the time, immediately after receiving that appointment; and if this collector had been discreet and honest, and if he had respect for his oath and character, he would have at once abstained from meddling any more in politics. After this, this man went to political meetings and assisted his opponent in organising the constituency, using every influence in his power to aid his opponent; and when he (Mr. Cook) was elected by a majority of 56, he made a public declaration in a bar-room in Barrie, that he would not return him (Mr. Cook), carrying out, probably, the same instructions that were given to other returning officers of that time in the Muskoka District and in other districts.

MR. MCCARTHY: I think that I ought to give a denial to that statement. I can assert positively, that it is not correct.

MR. COOK said that immediately after this campaign was over, at the last General Election, the hon. gentleman who now said that this Government should not mix Local with Dominion politics, enlisted in the service of the Conservative party in North Simcoe, some servants of the Government, who went on the platform alongside of himself, and canvassed for the Local Conservative candidate; and not only canvassed, but travelled over the constituency, working against Mr. Sutherland, the candidate in the Ontario Government interest, and advised the people on public platforms to vote for the Opposition candidate, Mr. Kean. All the time that the hon. gentleman was doing this, and was engaged in this nefarious transaction, he (Mr. McCarthy) must, at the same time, have known that Mr. Rutledge was canvassing and openly declaring himself in favour of the Conservative party. What virtuous indignation played over the countenance of the hon. gentleman when he said it was a shame and disgrace, and dishonour for Government officials, and servants of the House, to ask for leave to go home to see their sick friends. He was somewhat amused, he was sure, for he did not think for a moment that the hon. gentleman would have the assurance to make a declaration of the kind in this House, aware that he (Mr. Cook) was in the House at the time, and knew what the hon. gentleman had done in times past. He would like to know if the hon. gentleman thought for a moment, that he would let a matter of this kind go unchallenged? He might go further in reference to the Government officials taking part in elections in that county. The hon. gentleman had referred to a Collector of Customs; but he (Mr. Cook), had never reported the conduct of Mr. Rutledge to the Minister of Customs, because he knew that if the instructions given to these officials were carried out, the only result would have been that this man must have been dismissed; and though Mr. Rutledge had been so injudicious, he did not wish to punish him because he was his political opponent. When the preliminary meeting was held in Barrie, with reference to the Conservative picnic that took place last summer in the county of

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Simcoe, this very Collector of Customs, Mr. Rutledge, was the first man at the helm, and with the hon. member for Cardwell, did every thing in his power to aid in getting up a crowd to attend, by giving away complimentary tickets. He knew that the name of the hon. member for Cardwell was written on the back of these tickets, with the words "complimentary free pass to Barrie," and this was probably the way in which large numbers of people were attracted to these different picnics. The hon. gentleman talked about Government officials in the county of Simcoe. Let him look at the persons who were nominated and appointed by the County Judges, and at the bailiff's who shook writs in the faces of electors, and declared that these persons would be punished if they did not vote so and so, and yet this hon. gentleman complained of the influence brought to bear on electors by Government officials. He quite understood that officials of the county were not Government officials, but at the same time they were most assiduous in their support of the hon. gentleman when a candidate for Parliamentary honors. The hon. gentleman had chosen to attack the Collector of Customs for Collingwood, but he would challenge the hon. gentleman or any of his political friends to put their finger on, or make the assertion against Mr. Watson, as having ever attended a political meeting, save when he was called upon so to act as the Mayor of the town. This was not in 1873, but when a local contest was going on, when he was a candidate, and at that time Mr. Watson's sympathies were not with him. He had had nothing to say to the Inspector of Weights and Measures with regard to political matters in the county over which he had jurisdiction; and he did not know a single instance where Mr. Laird has ever interfered with political matters in the county. The same thing was true with respect to the license Commissioners. Mr. Morrow had been a politician in the past; and this gentleman had informed him a few days ago, that when the election campaign came on, he would resign his position as License Commissioner, in order that he might advocate the



interests of his candidate, and the party in which he was allied. He knew that this was that gentleman's intention, and it came with very ill grace from the hon. gentleman to make such an assertion against this gentleman who, he believed, was honorable and just.

MR. COCKBURN said he had merely to say that the post office at Hull did not amount to much more than a village office. The salary of the postmaster was only a few hundred dollars, perhaps less than \$500 or \$600; and the whole business of the office was about \$1,400. He thought that this officer should be considered as a country postmaster and no fault whatever should be found with him.

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

#### SUPPLY.

House again *resolved* itself into Committee of Supply.

(In the Committee.)

MR. SPEAKER said that before the House proceeded with its business, hon. members would perhaps be kind enough to permit him to occupy their attention for a moment. Owing to what had been said that afternoon, he ought to make a brief statement. He had thought that last evening on this subject he had made himself sufficiently understood, but he must have been mistaken. Three of the sessional clerks had absented themselves, Messrs. Pitan, Bieuvvenu and Doyon. He did not regard them in their absence as any longer employés of the House. Some weeks ago Mr. Bienvenu had asked permission to go away, and on finding that his brother was competent, the latter was appointed in his stead. This took place on the 21st of March last. Mr. Doyon had absolutely withdrawn from the employment of the House of his own motion, he had asked to be and was paid up; he returned to Ottawa some time afterwards and asked to be put on again, and again went away; but he was not now drawing any public money nor was any pay accruing to him as an employé of the

House. Mr. Pitan was the only one of the sessional clerks who during the Session had asked for leave of absence. Members had chosen, however, to assume that seven employés of the House were absent by permission from their posts to take part in the Quebec election. Mr. Pitan had got leave of absence for a few days on the ground that some members of his family were ill. He knew nothing whatever of Dr. Godin. He did not know some of the other names mentioned; indeed he had forgotten that they were on the list of employés of the House at all, and these persons certainly had never either directly or indirectly applied to him for leave of absence. They had no leave of absence, and, if absent, were so without permission; and were not entitled to any pay while absent. He had forgotten, the evening previous, to say that one of the messengers applied for leave of absence, and obtained it on the professed reason that he had some urgent private business to attend to for a few days. Mr. Jodoin had obtained leave of absence on the same ground once or twice before; and he had hesitated, for this reason to renew it; but he had no suspicion whatever that it was this official's intention to take any part in any political contest. It would have been almost impossible for seven employés to apply even for a few days leave of absence just on the eve of an election, without suspecting that they had some political purpose in view. He thought that this was the ground taken by the right hon. member for Kingston. He would again state that the only sessional clerk who had leave of absence was Mr. Pitan. He thought that if the facts had been known, a great deal of what had been said would have been found to have been quite unnecessary.

SIR JOHN A. MACDONALD: I accept the statement of Mr. Speaker without any reserve. The statement is made distinctly, and I accept it without reserve. I would add that enquiry should be made into the conduct of these men who have thus gone away without leave of absence, and are still away from their work busy in the elections.

MR. MACKENZIE: I am glad to hear that the hon. gentleman forgives Mr. Speaker.

94. Public Buildings in Ottawa, \$53,100.

MR. LANGEVIN asked the Minister of Public Works whether the sum of \$135,500 voted last year for the extension of the Western block had been expended, also how much remained of the \$35,000 voted for the grounds?

MR. MACKENZIE said the total amount expended up to the 31st December of the \$35,000 was \$24,408, while \$79,410 of the \$135,000 had also been expended.

MR. LANGEVIN said the fountain, which had been placed in the grounds, was not admired by the public. It was not in harmony with the grounds; in fact, it was looked upon as an eyesore.

MR. MACKENZIE said the fountain was set up in order to obtain a sort of idea what would suit best. It was erected as a mere experiment.

MR. LANGEVIN said it would have been better to have two fountains to be placed in the sidewalks. If it was not so late he thought this suggestion should be taken into consideration. He did not approve of the style adopted in the extension of the western block, because it was not in uniformity with the other buildings. The tower, particularly, in course of erection, detracted from the appearance of the tower in the block which ought to be the principal feature of the whole buildings. Many strangers visiting the city had pointed out this defect to him.

MR. MACKENZIE said that strangers had expressed a very different opinion to him. By the architectural changes introduced, the western block had become well lighted and airy, which was more than could be said of the offices in the eastern block. In a long block of building such as that a tower was certainly needed and he approved of the architect's ideas. The entire expenditure up to the end of the year, for the western block, was \$280,928.

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SIR JOHN A. MACDONALD agreed with the hon. member for Charlevoix in thinking the sooner the fountain disappeared the better for the symmetry of the grounds and the uniqueness of the building. He did not think the Western Block had been carried out in accordance with the original plan, and the tower which had been placed there destroyed the appearance of the central one.

Vote agreed to.

95. Improvements of Navigable Rivers..\$34,000

MR. LANGEVIN asked what was done with the \$10,000 voted last year?

MR. MACKENZIE said only a small portion of that had been expended. A certain sum had been expended in maintaining a tug steamer in order to effect the improvement of the Neebish Rapids, a statement of which would be found at page 240 of the Public Accounts. In the current year, there was only expended, to the 31st December, \$424 of last years' vote. The year before, namely, the last financial year, there was expended \$9,601.82. The Quebec Harbour Commissioners had been given the charge of clearing the river of the anchors and chains which, at one time, threatened to destroy the harbour. The result of the labour for three years had that 162 anchors had been raised and about 5,000 fathoms of chain. The Commissioners had sold 47 anchors and 102,000lb. of chain at various prices, realizing \$62,014, and there remained yet to be sold 91 anchors and something over 3,000 fathoms of chain.

Vote agreed to.

*Public Buildings, Ontario.*

96	{	Guelph Custom House, Excise and Post-Office.....	\$4,000
		Kingston Military School, and repairing fortifications.....	30,000
			<u>\$34,000</u>

MR. STEPHENSON said that the Government had conveyed military lands in Toronto to the city, and he wished to know whether the Govern-

ment would be willing to act similarly to the town of Chatham with reierence to the piece of ground in about the centre of the town, which was now used for both military and agricultural purposes. Of course, the Agricultural Society would be getting grounds of its own soon, and he wished to know, if the town secured other grounds for military purposes the Government would be disposed to transfer the present military grounds to the town.

MR. MACKENZIE said the ground at Toronto was transferred for exhibition purposes, with the understanding that it must be returned if required. It was not given for a park, and the Government would not have given it for that purpose. The only other instance of property being transferred was at Montreal and Quebec, but at a valuation. In the town of Chatham the piece of ground alluded to was of no service to the Government as a military ground. In other places where the Government held ground similarly situated, they had sold it by auction. If the town of Chatham made a representation to the Government in reference to the matter, it would be considered, but the Government could not give the land away.

MR. STEPHENSON submitted that if the town of Chatham procured another piece of land, that would suit the Government as well as this piece of land; it would be to the advantage of the town and would be no loss to the Government.

MR. MACKENZIE said if a proposal was made to the Government, the matter would be considered on its merits.

*Vote agreed to.*

PUBLIC BUILDINGS, QUEBEC.

97. Repairing fortifications, Quebec .....	\$50,000
Post Office and Customs-house, St. John, P.Q..	4,000
	<hr/> \$64,000

SIR JOHN A. MACDONALD asked if any steps were to be taken to protect the entrances to the St. Lawrence and Esquimault in case of trouble.

MR. JONES said steps were being taken for the protection of Esquimault by the erection of earth-works, etc., at

MacAulay's Point. Several guns were to be placed there, but he had not quite decided with reference to the location of the gun presented by Sir W. Pallister.

*Vote agreed to.*

PUBLIC BUILDINGS, NEW BRUNSWICK.

98. Custom-house, St. John, N. B. ....	\$85,000
Savings Bank, do. do.	30,000
Post-office, do. do.	70,000
	<hr/> \$185,000

In answer to Mr. LANGEVIN,

MR. MACKENZIE said they were proceeding with the foundations of the Custom-house, at St. John. This building would be about the same size as the old building, and be on the same site. The foundations were up to the level of the street. The three buildings would cost certainly over half a million, but no close estimate in this regard had been made.

*Vote agreed to.*

99. Marine Hospital, Lunenburg ....	\$3,000
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In answer to Mr. LANGEVIN,

MR. MACKENZIE said that this was intended to provide a small wooden building rather as a pest-house than for any other purpose. Considerable shipping visited Lunenburg, and when small-pox broke out there two years ago, they had great difficulty in getting a building for the purpose.

*Vote agreed to.*

100. Public Buildings, repairs	\$1,000
Custom House, Store house, wharf, Victoria..	5,000
	<hr/> \$6,000
101. Public buildings generally.....	10,000

PENITENTIARIES.

102.	{	General Penitentiary for the Maritime Provinces..	\$17,000
		St. Vincent de Paul .....	9,000
		Manitoba (out building) ....	3,000
		British Columbia Penitentiary .....	10,000
		Kingston Penitentiary.....	12,500
		<hr/> 51,500	

MR. MACKENZIE said that Mr. Boyes, architect, of Kingston, had been placed in charge of the buildings at St. Vincent de Paul, and when the build-

ing at Dorchester was in a more forward state, they proposed to put Mr. Boyes also in charge of this place. They would adopt this policy instead of having an architect at each place. One officer would be quite able to attend to these buildings with ordinary assistants under him. A workroom was to be provided at the Manitoba Penitentiary.

*Vote agreed to.*

103. Rents, repairs, &c..... \$234,800

Mr. LANGEVIN said he observed there was an increase in the amount charged for gas.

Mr. MACKENZIE said that this was caused by the unusually late sittings of the House.

Mr. LANGEVIN: I should think there was plenty of gas here.

Mr. MACKENZIE: Some of it is of very bad quality.

Mr. LANGEVIN hoped some means might be devised whereby the Chamber might be properly ventilated. Two years ago a number of the members became sick and some of them died, and he considered this was caused by the foul air which generated in the Chamber.

Mr. MACKENZIE said he did not think that was the case. The vote given last year was found to be insufficient, and a Supplementary Estimate had to be taken. The increased cost was in a measure accounted for by the addition of the library to the area requiring to be lighted. At the same time a reduction had been made in the price of gas. Formerly they paid \$4 per 1,000 feet, but feeling that the price was excessive, he called upon the gas companies, and arranged that the price should be reduced to \$3.

Mr. LANGEVIN said that in the Public Accounts an item of \$2,115, as payment to the Electric Light Company. Was not that, he asked, a new charge?

Mr. MACKENZIE said it was for lighting the building instantaneously. By the adoption of this system a great

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deal of gas had been saved and the atmosphere of the Chamber was rendered more pure.

*Vote agreed to.*

105. Harbours and Breakwaters..... 34,500

Mr. McCALLUM asked if the \$7,500 asked for Lake Erie was a re-vote.

Mr. MACKENZIE said this sum had not been expended. The vote was contingent on the local authorities paying \$10,000. A by-law had been passed to this effect, but the Government had not yet received the money.

Mr. McCALLUM did not consider it right that so much money should be spent upon this particular part of Lake Erie shore. There was no real harbour there; it was merely a plan for the convenience of a few residents in the locality. He did not think this work would be in the interests of the people at all.

Mr. MACKENZIE said if the municipality of the town not only petitioned for it, but voted \$10,000, the people evidently wished it.

Mr. McARTHUR said it was about time the work, now undertaken by the Government in connection with Collingwood harbour, should be completed. He would draw the attention of the hon. the First Minister to the arrangement made with the town of Collingwood, that, if it would contribute \$35,000, the Government would contribute another \$35,000 towards the construction of a breakwater and towards dredging the harbour. In pursuance of that agreement the work was commenced, and the breakwater was built during the year 1874, but the whole amount estimated, \$35,000, was not expended. In the general election of 1874, the hon. member for North Simcoe represent to the people of Collingwood that, instead of getting the \$7,000 or \$8,000, the balance due on the \$35,000 revoted, they were entitled to \$100,000 for the proper construction of their harbour, and that he had the promise of the First Minister that that would be granted. He was unseated, and in September again presented himself to

his constituents, who asked him how it was the \$100,000 had not been voted, and that no sum had been placed in the Estimates for the construction of this work. The hon. member was then ready with the reply. He said the breakwater was not completed, and the Government did not think it right and proper to commence dredging the harbour until the breakwater was completed. In the summer of 1875, the hon. member for North Simcoe appeared to be in earnest, and communicated with the Mayor of the town, asking how much it would cost to do this work. The Mayor replied it would cost \$108,974. During that year nothing was done, no vote was obtained, nor during the succeeding years; and now on the eve of a general election, the tenth of that amount, \$10,000, was placed in the Estimates only to be expended during the time that the hon. gentleman was undergoing the ordeal of seeking re-election. He wanted to know whether an estimate and plans had been obtained in 1874.

MR. MACKENZIE said he did not remember.

MR. MCCARTHY said he understood it had been announced by the hon. member for North Simcoe, that those plans had been prepared, and that tenders would have been issued in 1874, but for the fact that the breakwater was not finished. The Receiver-General now had the debentures of Collingwood to which the Government were entitled in pursuance of the bargain made as to the construction of this harbour work. Why, when the plans were made in 1874, this work was not yet done, was a question to which the people had the right to obtain a reply.

MR. BLAKE said it was hardly the place, on the floor of this House, to begin the canvassing of North Simcoe.

MR. COOK said he denied most emphatically that he had ever made a statement that he had obtained the grant of a sum of money for the Collingwood harbour. He had stated to the electors that he would use his influence to obtain a sufficient amount of

money to dredge the harbour so that vessels of heavy draught could get in. It would have been folly for him to attempt to name a sum for a certain work, of which he had no knowledge. He had written a letter, immediately after the election, to the Mayor of Collingwood, who was a very strong partizan of the Conservative party, asking him the amount necessary for that purpose, and received a reply that \$108,000 would be required. He (Mr. Cook) at once saw the object of the letter; because it was impossible for him, or anybody else representing the constituency, to obtain the sum of \$108,000 for such a work at a time of much depression. He never stated he had a promise from the Premier. The hon. member for Cardwell was incorrect in stating the amount of Collingwood debentures in the hands of the Government at present. The amount was only \$2,000. The Government had paid some \$600 more than they should, as their share of the cost of the breakwater, and, at the same time, if the corporation of Collingwood required their debentures, they could instruct the Government to sell an amount sufficient to cover their share, and return the balance. He had always strongly urged the importance of that harbour from its large and increasing trade.

MR. MCCARTHY said the hon. member for South Bruce knowing, as he did, the large expenditure of the hon. member for North Simcoe in the elections of 1872 and 1874, still hoped to silence him (Mr. McCarthy) by his sarcasm and his sneers, but he would find himself mistaken. The hon. member for North Simcoe had stated that if he said \$100,000 was the amount to be expended, he had made a statement which was all moonshine.

MR. COOK: I said that if I had made such a statement, the people of Collingwood would have said I knew nothing of what I was saying; but I never said anything of that kind.

MR. MCCARTHY asked if he understood the hon. gentleman to say that he did not promise that \$100,000 should be spent on that harbour. He had a letter which he would read:

"Before the breakwater was finished the present Government came in, and when Mr. Cook came forward in 1874, he distinctly promised to get us \$100,000 for our harbour. He did not say that he would try, but that he would get it positively."

The statement proceeded to say that the writer got petitions signed by a number of shippers and others, showing the necessity for the work, and continued as follows:—

"When he came forward in 1874, he made fresh promises, this time saying that he would try to get it, and asked for something to show what was wanted. I then sent him a plan of the harbour, with estimates of the amount of the dredging, carefully prepared from a detailed survey of the depths made in the harbour."

This was the letter which the hon. gentlemen acknowledged that he wrote to the Mayor of the town and got back, and that he now told them he had put away in his desk. He (Mr. McCarthy) had two complaints to make, and he understood from the silence of the First Minister and from the statement of the hon. member for North Simcoe, that if he (Mr. Cook) was understood to say he would get \$100,000, or that \$100,000 was promised to him for that harbour, it was not correct. The hon. gentleman now said it was not promised to him; that he had no promise from the Government of the expenditure of that or any other sum. He (Mr. McCarthy) wanted to know why the improvement was not made in 1875, when the necessity for it was as great as it was now.

MR. COOK: No; the water is two feet lower than it was last year.

MR. MCCARTHY said he wanted to know why the matter was put off from year to year until the general election was coming round.

In answer to Mr. BOWELL,

MR. MACKENZIE said it would be seen when they came to the item of dredging that a pretty large sum was asked for the Bay of Quinté.

In answer to Mr. WOOD,

MR. MACKENZIE said he had not been aware of the existence of a bar at the mouth of the Burlington Bay Canal until a few weeks ago, and he had

given instructions to Mr. Kingsford to have it examined. If it was of no great extent they would be able to remove it, he expected, out of the general vote.

In answer to Mr. CASEY,

MR. MACKENZIE said the examination had been made at Eagle Harbour. It was impossible, at present, for the Government to take a vote for that particular place. They would be in a better position to consider it after the local authorities had shown a disposition to do something in the matter.

MR. CASEY said that complaints were being made that the Great Western Railway did not properly dredge the Port Stanley Harbour as they were bound to do by the term of their lease. He asked the Premier to look into the matter.

MR. FARROW urged that an additional small amount should be voted for the Port Albert Harbour on Lake Huron.

MR. MACKENZIE said he had not been aware of any immediate necessity for an appropriation there. The tolls on the Burlington Canal yielded now about \$4,000 a year, and, as the expenses were light, it yielded more revenue in proportion than any work of the kind. If only repairs were required they could be accomplished, but nothing more extensive at the present time.

MR. MCCALLUM said that the piers of this canal were in tolerable repair. In ten years its revenue had amounted to \$31,502, and expenses deducted, the net yield was \$24,652. He would like to have an explanation with regard to Toronto Harbour.

MR. MACKENZIE said there was a very great difference of opinion with regard to the eastern passage. Some held that this opening would yet be the means, to a greater extent than had yet been the case, of destroying the harbour; and others said there was really very little change in the harbour. The shifting sands in the gap merely shifted their position, and very little drifted into the harbour. Some-

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times these sands were at one spot, and, after a heavy gale, they moved a considerable distance in the other direction, and they were hardly ever carried far into the real anchorage of the harbour. The opinion of the Engineers of the Department was that, so far, no serious injury had been done to the harbour. The only question was what would be the consequences if much more of the beach was carried on the west side. As a layman in these matters, he thought that perhaps the best thing to be done would be to protect what remained of the beach near the gap, and prevent any further washing away, rather than attempt excessively costly works, which were projected by some engineers, and which would cost nearly half a million, for the construction of enormous piers on both sides, with wings extended on each side to close up the gap, the entrance excepted. They did not at present think there was any necessity for doing more than he had indicated. In the meantime, they intended to confine themselves to the deepening of the western entrance, so that vessels drawing fourteen feet of water could enter without difficulty.

Mr. WOOD said that the piles on Burlington Canal had, in some places, gone apart; this work was in bad condition, and a new superstructure was required. The tolls here had been out of all reasonable proportion, but they were now reduced. A cent a ton was collected on the tonnage of vessels, and no toll on goods; but, as this was the only harbour of refuge at the west end of the lake, the tolls should be altogether removed.

Mr. McCALLUM said that there were not two dozen piles in the whole work. He agreed with the hon. the Minister of Public Works in respect to Toronto harbour. The washing away of the bar would be a serious matter, and the lake was encroaching steadily on the harbour. This should be preserved. There were, no doubt, persons now living who would see Toronto facing the open lake, unless some precautions were taken in this relation. The city of Toronto ought to do something towards it. He was satisfied that the

city would never allow the eastern passage to be closed altogether. This passage, by admitting a current, improved the health of the city.

Mr. STEPHENSON said that he had moved for correspondence which had taken place, with respect to Morpeth harbour; but he found nothing new in the return. It was calculated by Mr. Kingsford that, in order to give ten feet in this harbour, would cost \$39,000, and for 13 feet the cost was estimated at \$55,000; and yet a vote of only \$7,500 was proposed, leaving the larger balance to be provided by the local authorities. This was unjust. It was understood in the vicinity that the Government would contribute two thirds of the amount necessary; and, certainly, \$7,500 would go but a very short way towards the construction of this work, the lowest estimate being \$39,100.

Vote agreed to.

Resolution ordered to be reported.

House resumed.

Resolution reported.

House adjourned at

Twenty minutes before

Twelve o'clock.

## HOUSE OF COMMONS.

Monday, 29th April, 1878.

The Speaker took the Chair at Two o'clock.

PRAYERS.

PRINTING COMMITTEE.

REPORTS CONSIDERED IN.

Mr. ROSS (West Middlesex) moved the adoption of the 4th and 5th reports of the Joint Committee of both Houses on the Printing of Parliament. He said the question in dispute was whether the Committee had the right to recommend an increase of salary as they had by their report. The Printing Committee seemed to have a recognized standing different from any of the other Committees of either House, and, from its organization, was distinct from other committees. In 1875,

the Committee recommended that the Chief Distributor should receive an addition to his salary of \$200, and his Chief Messenger \$150 more than he had previously received. By general understanding, the motion he made the other day was one which the Printing Committee had always recognized under the Statute as its own peculiar privilege, and he thought it undesirable that the Joint Committee of both Houses on Printing should be deprived of the privilege of superintending its own expenditure. If this point was conceded, it would be for the House to say whether the Committee's recommendations should be adopted.

MR. MACKENZIE said he thought the hon. gentleman had made his point good. He was previously under the impression that the salaries of these officers appeared in the list of the officers of the House of Commons.

MR. SPEAKER: This is not so, I find.

MR. MACKENZIE: I do not intend to object to it.

MR. LANGEVIN wished to know if the First Minister assented to the appointment of new officers.

MR. MACKENZIE said he did not. The Committee must report to the two Houses before they could do that. He was of opinion the other day when the matter came up, that the Speaker, and not the Committee, appointed these officers. The Chairman of the Committee had now shown that the two Houses relegated this to the charge of the Committee, and that the salaries were charged in the general printing account. These salaries were, of course, subject to the revision of both Houses, and the staff were directly responsible to the Committee and their clerk. He had some recollection now of the reasons why that was done, and he was not disposed to object to it.

MR. HOLTON said this, as he understood it, was a money vote, and there was a form prescribed in which money votes must be initiated. He wished to know, therefore, whether this Committee of both Houses had the right vested in them by the Statutes of ini-

tiating a money vote. If not, then this motion would be manifestly out of order.

MR. SPEAKER said the Statute provided that a certain amount should be placed at the disposal of the Committee for the printing of Parliament to distribute.

MR. ROSS said the whole expenditure for printing was initiated in the Committee of Supply, and the vote was then transferred to the Printing Committee.

Motion agreed to.

#### SYSTEM OF LETTING CONTRACTS.

##### REMARKS.

Order for House to again resolve itself into Committee of Supply, read.

MR. LANGEVIN said before the House went into Committee of Supply he would like to call the attention of the House to a certain statement which had been made regarding the contract system of the past and present Governments. That question had occupied the attention of the country during the past year, especially when hon. gentlemen opposite were delivering their picnic speeches, and he thought their statements should be considered by the House. The hon. the First Minister condemned the mode adopted by the late Government of calling for and opening tenders and granting contracts. He would quote some extracts from the hon. gentleman's speeches. The first he intended to quote would be found on page 9 of the "Premier speeches." It was headed:—

"THE CONTRACT SYSTEM PROPOSED UNDER TORY AND LIBERAL RULE.—We have endeavoured to the utmost of our power to place the contract system on a sounder and better footing than ever it was before; and when I mention the simple fact that out of nineteen millions tendered for, some sixteen millions worth of contracts were awarded by us to the lowest tenderer, while the late Government awarded less than one-third to the lowest, you will be able to judge of the practical results of our efforts to reform the system of awarding contracts. I do not say that the late Government gave out contracts corruptly, because I do not know they did so; I merely give these facts; which, if they had just been reversed and tested by their suspicious minds, would have formed the ground-work for innumerable charges or insinuations of corruption."

Mr. Ross.



Then at page 30, we find this:—

“OLD AND NEW METHOD OF RECEIVING TENDERS.—What was the custom when we went into office? Tenders were advertised for. Five or six were banded together; Smith would make his tender \$10,000 above Jones, and Robinson would make his \$20,000 higher than Smith, and Brown his \$30,000 higher than Robinson, and so on. When the tenders came to be known, the two or three who were lowest would retire in succession, and they would divide among them the one which was accepted.”

“This condition is exacted before the contractor is allowed to proceed with his work. The result of these reforms is that we have now the most complete contract system in the world, and it is one which, as you can see, operates to the advantage of the public, instead of being a mere means of fattening contractors of a particular class, or a political instrument in the hands of the Administration.”

The hon. gentleman had accused the late Government of having advertised for tenders without requiring proper security. He had accused the late Government, and especially him (Mr. Langevin), because he was Minister of Public Works during the last three years, of pursuing the system of having tenders opened by the Ministers. He said that should not have been done, it was wrong—

MR. MACKENZIE: I did not say it was wrong.

MR. LANGEVIN: The hon. gentleman did not say it was wrong, but that was the inference to be drawn from his words.

MR. MACKENZIE: No; I simply considered it was better the Minister should not open the tenders. I did not say there was anything wrong in it.

MR. LANGEVIN: The hon. gentleman considered his system better than that of the late Government. He (Mr. Langevin) claimed that his system was a good one. The tenders were called for and received by the Department, and were opened by the Minister in certain cases when he had time to look over them, assisted by the Deputy Minister of the Department; or, when the Minister was away, or had not time, that work was done by the Deputy Minister or by the Secretary of the Department. The rule adopted was this: Each tender was opened, one

after another; then the name of the contractor was endorsed on the envelope, with the signatures of the Minister and his Deputy, or of the two officers. The same endorsement was made on the back of the tender. Then the tenders were numbered, the same number being placed on the tender and envelope, with the prices at the end, if for a bulk sum; if not, of course no price was endorsed, but only the signatures of the Minister and his Deputy, or the Deputy and the Secretary. So that there could be no collusion and no change, because all these tenders were signed by both parties, which gave every guarantee to the public, to the contractor, and to the Government, that matters were done in an honest and straightforward way. The system adopted by the late Government in calling for tenders was that two good sureties were required, whose names were to be given when the tender was sent in. The hon. gentleman had stated that, under that system, the result was that the Government had to pass over a number of tenders. The hon. gentleman had been good enough to say that he did not accuse the late Government of having given out contracts corruptly, because he did not know that they had done so. No doubt the hon. gentleman did not know it, because it had never been done. When a tender was passed over the reason was always given, and in every case in which he (Mr. Langevin) had to consider a tender, he consulted the Chief Engineer, or, if absent, another engineer, to judge whether the matter was proper or not, whether the price was a sufficient one for the work; or, in other words, he enquired about the position of the tenderer, whether he was really a contractor and able to do the work, or whether he was a bogus contractor who wished to obtain the contract only to see it, and made any other inquiries necessary. The invariable practice of the Department was to give it to the lowest tenderer, after obtaining an Order-in-Council authorizing the lowest tender to be accepted. By this means the work was done, and done cheaply. Sometimes, however, despite all precautions, the contract would be given to a contractor who would fail to complete his agreement,

who had made his calculation without proper reflection or upon wrong data, as, for example, in the case of the post-office at Ottawa. The contractor for that building began his work, and continued it until it had reached a certain height, a little above the foundation, when he found he was running into debt to such an extent that he could not account for it, nor continue the work. He found he had omitted an item in his calculations, and, although he proved clearly to the Department that he had made this mistake, the Department refused to add this item to his contract, and the work was finished afterwards under the hon. the Minister of Public Works. The same difficulty might occur under the present Administration as under the former one, namely, that a contractor would fail to go on with his work. That would occur under any Government, and could not be attributed to the system. But the hon. the First Minister said his system was the best. What was his system? The hon. gentleman said, in one of his speeches, that he required a deposit of say \$1,000, or more, as a guarantee that the tenderer was a *bonâ fide* one, and that if he was not, and when offered the contract, refused it, he forfeited that amount. He said another condition under his new system, was that he exacted five per cent. of the amount of the contract as a deposit. By comparing the results of this system with the previous one, it may be better understood. In October or September, 1873, the previous Government called for tenders for a certain number of sections of the Welland Canal. These tenders were received, but not in sufficient time to be considered and examined by the late Government. It was left to their successors, the hon. gentlemen opposite, to decide who should have the contracts. It appeared from statements known to hon. gentlemen that when the hon. the Minister of Public Works came into office, he took advice from the Chief Engineer of the Department, and put aside all these tenders which had been received, and called for new ones. If the hon. the Minister of Public Works had given to the House the return in answer to the address which

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had been voted some time ago, and which had been on the notice paper for weeks and weeks, he (Mr. Langevin), might make comparisons which would, perhaps, better illustrate his point, but he must now be content with what he had. A portion of these documents had been laid before a committee of this House and were known especially to the hon. the Minister of Public Works as well as to a large number of hon. members. According to those documents, the three sections 5, 7 and 14, the only sections for which returns had been furnished under this second letting, gave the following results, comparing the lowest tender for each section under the new system with that under the system of the late Government:—

Lowest tender	Under late Gov't.	Under present Gov't.	Increase.
Section 5,	\$266,000	\$312,000	\$46,000
" 7,	251,000	283,000	32,000
" 14,	271,000	292,000	21,000
	<b>\$790,000</b>	<b>\$888,000</b>	<b>\$99,000</b>

Thus the increased cost under this improved system of the hon. gentlemen opposite, amounted to \$99,000 over the system used by the late Government, which the hon. the First Minister said was not as good a system as his. By the return also it appeared the tenders accepted by the Public Works Department were: for No. 5, \$352,000; for No. 7, \$329,000; for No. 14, \$321,000. The differences between the lowest tenders, under the improved system of the hon. gentleman and the tenders accepted, were as follows:—

	Lowest tender.	Accepted tender.	Difference.
Section 5,	\$312,000	\$352,000	\$ 40,000
" 7,	283,000	327,000	144,000
" 14,	292,000	321,000	29,000

The three tenders accepted amounted to \$1,052,000, and the lowest tenders under the late Administration amounted to \$790,000, which gave a difference of \$211,000 in favour of the latter, or 20 per cent.; and the difference between the lowest tenders under hon. gentlemen opposite and the tenders accepted by them, was \$112,757, or over 11 per cent. He had no doubt the hon. gentleman did his best, and considered he

was acting in the interests of the country; but the result showed that though he might call his system an important system, when it came to be examined, it would be found that instead of reducing, it increased the cost of these works. He (Mr. Langevin) would now refer to the statement made at the Public Accounts Committee by the Clerk, on the tenders and papers connected with sections 5, 7, and 14. Under the late Government the last tenders were for the six sections 8, 9, 10, 11, 15, 16. Under these tenders, and under these new tenders for 5, 7 and 14, what difference was found in the cost of the work? Under the former contracts the earth and clay excavation cost, on an average 29·16c., and under the latter made by the hon. gentleman opposite, the average cost was 33½c. In the former, the earth excavation in lock and weir pits cost 34¾c.; in the latter, 40·66c. In pine timber for the foundation of lock, the former cost 42·33c.; the latter, 46·66c. The oak timber 66c. under the former; under the latter, 77·33c. These were taken from the schedule of prices laid before the Committee. The spikes, under the system of the late Government, averaged 8c., under the present improved system, 8·33c. Rock iron, under the former, averaged 12·40c.; under the latter, 13·66c. Masonry, under the former, 10·77c.; under the latter, 11·68c. The coarse masonry under the former, averaged 7·50c.; under the latter, 8·66c. Coarse masonry laid dry, averaged, under the former, 5·30c.; under the latter, 6c. Rubble masonry, under the former, 7·21c.; under the latter, 7·50c. Rubble masonry laid dry averaged 3·90c. under the former; under the latter, 5c. Ivory cement, under the former, 3·90c.; under the latter, 4·30c. This new system, therefore, though it might be better, in some respects, than the old one—and the hon. the Minister of Public Works, after four or five years experience, had said it was—yet, so far as the money was concerned, it was inferior to the old system, as the prices under it had increased instead of having decreased. It stood to reason that the prices should have increased. A contractor might have

means enough to do the work, but not means enough to make a deposit as security. If that deposit be insisted on, he must borrow the money and pay interest on it; therefore, so much of his credit was gone. The credit he would require to carry on his work was gone so far as that amount was concerned, and he was, therefore, obliged to name a higher price than if the deposit were not insisted on. He (Mr. Langevin) said that the deposit itself was a bad thing, and, instead of reducing the cost of the works, it increased it. He (Mr. Langevin) did not intend insisting at all on the question of the absolute necessity of Orders-in-Council when the lowest tenders were passed over. The question had been discussed in Committee, and the hon. the Minister of Public Works, himself, admitted that an Order-in-Council should be had, and that in the case referred to it was an omission, an oversight, a neglect on the part of the officer that an Order-in-Council had not been obtained, and that the Minister thought there had been one. He (Mr. Langevin) would, therefore, not insist on that, but would only say it was a safe and proper rule, a safeguard to everyone. It was a safeguard to the Minister and his officer, and an answer to the contractor. It was an answer to the contractor, because the contractor could not say: It was Mr. So and So in the Department who did it, or the Minister had something against me and refuses me the contract. No; the Order in Council showed an action of the whole Council, and therefore was an answer. It showed the whole thing had been laid before the Minister in Council, before His Excellency the Governor General, and the Order-in-Council had been passed approving of the suggestion of the Minister of Public Works. He was pleased to see that the hon. the Minister of Public Works had admitted the necessity of these Orders-in-Council. He (Mr. Langevin) had shown the theory of the Minister of Public Works with regard to these contracts, the mode of calling for tenders, the conditions of those tenders, the opening and the allotting of them. Now, tenders for railway ties had been called for in the North-West,

—for 165,000 ties. These tenders had been called for by the Minister of Public Works through his officer at Winnipeg, Mr. Nixon. Mr. Nixon was asked by the Committee what were the conditions of those tenders, whether the tenderers were bound to deposit a sum of money of \$1,000 or \$4,000, and whether they had been called on to pay five per cent, on the amount of the contract on signing it. The answer was, "No." Nevertheless, the hon. the Minister of Public Works had stated in his speeches that those were the conditions imposed on tenderers. The 165,000 ties were advertized for, and the only guarantee required was the security of two persons that the work would be executed. But that, strange to say, was reverting to the system of the previous Government, which the Minister of Public Works had so strongly condemned in his picnic speeches. At page 30:

"Tenders were advertized for. Five or six were banded together; Smith would make his tender \$10,000 above Jones, and Robinson would make his \$20,000 higher than Smith, and Brown his \$30,000 higher than Robinson, and so on. When the tenders came to be known, the two or three who were lowest would retire in succession, and they would divide among them the one which was accepted."

This was a system which the hon. the Minister of Public Works said was a system which was to be condemned and never to be resorted to; and which the Reform Government had swept away, adopting a better system, and exacting deposits of \$1,000, \$2,000 or \$3,000 as guarantees that tenders were *bonâ fide*; five per cent. of the whole contract being deposited as surety when tenders were accepted. But this was not done. Let them see the result of this system of the hon. gentleman. The number of tenderers in this case was thirty-six. The first was that of J. Martin; the second that of Charles Nolin; third, Augustus Nolin; fourth, Mr. Quigley, fifth, W. S. Lewis; sixth, A. Bissonette & Co.; seventh, & McKinnon McDermid; eighth, Alexander McNabb; ninth, John Nesbitt; tenth, Jos. Pilan & Co.; eleventh, George Taylor, and twelfth Wm. Robinson. It appeared

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that the first tenderer withdrew, and would not go on with the contract, not wanting to give security. He had been asked for security, and, therefore, would not take the contract. Also that even in the advertisement, sureties were not required. No notice was given that security would be exacted. This man said: "I am ready to do the work, but you ask for sureties, and I won't do it. I can't furnish them." The two Nolins came next, and they also would not do the work. Mr. Quigley was fourth, and he would not do the work for some reason or other given by Mr. Nixon. Then came McDonald & McDermid, and Alexander McNabb. These two firms offered to furnish the ties they had tendered for, but they were not taken, and they could not go on for some reason or other. Two others were John Nisbet and Joseph Pilan & Co.; but instead of going to these two and following the list, Mr. Nixon at once went to Mr. Wm. Robinson, because the former two had only tendered for a portion of the work. It would be observed that the advertisement did not call for tenders for the whole 165,000 ties *en bloc*, but for 5,000, 10,000 or 15,000 at a time. These tenderers had complied with this notice, and tendered for a part of the number. Nevertheless, Mr. Nixon passed these men by, and said he went to Mr. Robinson and asked him: "Will you furnish the ties and comply with your tender if we give you the contract for the balance, deducting the amount these two men had tendered for." Mr. Robinson refused, and said he would furnish the whole quantity or none. The result was that, without applying to these two men, their tenders were passed over, and the 10th or 11th tender on the list was accepted.

MR. DYMOND: Will the hon gentleman mention the total quantity supplied by Mr. Robinson, or tendered for by Mr. Robinson, and the total quantity affected by the two previous tenders.

MR. LANGEVIN said the hon gentleman would have an opportunity to speak on this question. The facts were these:—tenders were called for, not for 165,000 ties in a lump, but for 5,000 at a time, if offers were so made. These two men with others tendered

for a quantity they could furnish at a lower rate than Robinson; but Mr. Nixon selected the latter, because he offered to furnish the whole quantity. This was not a proper reason to give for such a step. The two others might have gone to trouble and expense in the matter, and they should have been considered; but they were not even told that their tenders were passed over. Instead of going to Martin, and Charles and Augustus Nolin, who offered to sell 10,000 each, they were passed over; but when asked why he (Mr. Nixon) passed them over and went at once to Quigley, who offered to furnish the whole, he answered: "My instructions from Ottawa were to give it to this man, if he were the lowest." What was behind the scenes? Mr. Nixon passed over the others and went to Robinson, and this was the improved system. He did not for a moment say, to use the words of the hon. the Minister of Public Works, that this Government had given out contracts corruptly, because he did not know that this was the case, but he did say that this was the improved system of hon. gentlemen opposite. And how could they in the face of these facts—which represented the system approved by these hon. gentlemen, and what was done by order of the hon. the Minister of Public Works, because this advertisement was telegraphed from the office at Ottawa to Winnipeg and Mr. Nixon—say anything about the system of their predecessors. The whole thing was so done, and how could hon. gentlemen find fault with the late Government because they sometimes had to go to the 3rd, 4th, 5th, or 6th tenderer. Here was an example. Here was a large contract for 165,000 ties given to Mr. Robinson at 45c. a tie, representing a very large sum of money. How was it that this contract was awarded by order of the hon. the Minister of Public Works without a deposit being required, and without asking for a deposit of \$1,000, \$2,000 or \$3,000, without the 5 per cent deposit when the contract was signed, and without even calling for security in the advertisement. The security given was an after-thought. It appeared that Mr. Nixon himself thought

of it, and telegraphed and obtained the authorization or offer from Ottawa; and if he had not done so, the whole thing would have been concluded according to the advertisement. The supply of 165,000 ties was merely called for, and the lowest tenderer was to have it; and they saw how the lowest obtained it. The ten parties who tendered at lower rates than Mr. Robinson were passed over, and the 11th accepted. It certainly, after this, would not remain for the hon. gentlemen opposite to say that the late Government followed a vicious system. These hon. gentlemen had the benefit of the experience of the working of the old system, they found that it was defective; but what was their practice? This was the last example of how they called for tenders, and of how tenders were accepted, of how contracts were awarded. He had other examples to give in this relation from papers laid before the House; but he did not wish to take up the time of the House any longer. He had made out his case, and he left it under the consideration of the House.

MR. MACKENZIE said he was sorry that the hon. gentleman had not pursued the usual courtesy in letting him know of his intention to bring this matter up. In the first place, he was not present when Mr. Nixon was examined, and he was utterly unable to say a word as to the facts of the case because he did not have the information before him. All he knew was that these tenders were asked for some time after Parliament met, at a time when they had reason to believe that the Pembina Branch could be brought into operation by means of the St. Paul and Pacific road which was to be finished; and the conclusion was arrived at, after brief discussion with the engineers, that it would be desirable to ask for tenders for the ties, because the winter was rapidly passing away. No time was to be lost in getting these tenders in. This accounted for the haste in telegraphing to Mr. Nixon to receive tenders, and no doubt accounted for all the rest. The hon. gentleman gave this as an example of the system of the Government in letting contracts. Why, if he (Mr. Langevin) was logical in his

argument, he would see that the system was neglected in this particular instance, as it used to be, in olden times. It was because the system was not observed that the difficulties the hon. gentleman had alluded to, but of which he was not aware until he mentioned them now, had arisen. With regard to the general object of the attack, the hon. gentleman had forgotten to mention that he (Mr. Mackenzie) was compelled to speak on this subject in consequence of a very unfair attack made on himself and the Government by his (Mr. Lanvegin's) late colleague. He was replying to this statement. Sir John A. Macdonald said :

“ When there is money to be expended and public works to be erected, it is the duty of the Government to see that the most efficient contractor should be got at the lowest price ; but they would see, if they looked at the record of the contracts given out for the last three years, that the principle—it was not only a principle of honour and economy, but the law of the land—that contracts should be given to the lowest tenders, giving the best possible security, had been broken systematically and continuously.”

He wished hon. gentlemen to observe particularly the emphatic and almost hyperbolical language in which the hon. gentleman indulged :—

“ The practice of the present Government is to ask the first question concerning a contractor, ‘ How did he vote at the last election ? ’ A man might offer to build a line of railway or a portion of a canal at half price, but if, by some *hocus pocus*, he was found to be a Conservative, although he was the lowest tenderer, Mr. Mackenzie, the head of the Government, would tell Mr. Mackenzie, Minister of Public Works, the contract must not be given to that man, but to another who is true to the cause.”

This was the offensive accusation he was replying to, and he had gone with some detail into the matter. He had stated, not merely in his pic-nic speeches, but in the House last Session, and had then given a statement to show that the system the present Government had inaugurated had resulted in a much larger number of the lowest tenders receiving contracts than under the old system previously in operation. He might have gone further to show that instead of the Government giving contracts to their own political friends, it resulted in their political opponents

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getting them. Take the last six contracts on the Welland Canal. Every one of them, but one, were given to his political opponents ; and he was informed that even in that one case, one of the firm was a political opponent. He had endeavoured to show that it was impossible that they could have acted from such a consideration. So much for that. Then with regard to the table which the hon. gentleman had read, to show that under the new system the prices had increased, instead of decreased. The hon. gentleman must remember that he had been taking the lowest tender under the late Government, while under the present Government he had been taking the lowest accepted tenders and contract, and put it into opposition to the lowest tender. A contractor might be very low, but quite insufficient. One of the lowest tenders, for instance, in letting a contract in 1873, was Cross & Co., a firm he was quite sure the hon. gentleman would not himself have given a contract to, but they were very much lower than anyone else ; and so the hon. gentleman would find in all lettings of contracts, that some of the parties would tender, especially under the old system where no deposit was required, were utterly unable to undertake the work. Supposing the work to be let to those parties tendering under such circumstances, the result would be that the work would proceed for a time and then be practically abandoned. There was an instance of this kind not very far from this city, where he was compelled to devote the small remaining portion of the 10 per cent. in his hands to pay the workmen, and a great portion, if not all, of the work would have to be re-let. Under the old system the work cost more than it did when parties provided ample security at the beginning, and the result of the system which forfeited no security could thus be seen, as this contract would cost, no doubt, a very much larger sum now than if it had been let to parties who would have given ample security at the beginning. This was a fair sample of the old system. There were quite a number of contracts on the Intercolonial Railway for which hon. gentlemen opposite came down and asked sums varying from \$40,000 to \$60,000

to supplement the contracts, and yet the prices upon which they gave these tenders would be cited as evidence that these were lower than those which were at present accepted, which would be manifestly incorrect. Some contracts given on the Intercolonial Railway cost from \$120,000 to \$350,000 more than what they were let for, before they could be finished by the Government. Then the hon. gentleman contrasted the prices under certain contracts on the Welland Canal, formerly and at present. This was manifestly unfair, unless the circumstances were precisely the same. Some of the latter contracts, for instance, were at points where the water and the land on the new cut joined, and much of this excavation would be made under difficult circumstances where the prices could not possibly be reduced so low as they otherwise would be; as, for instance, on the face of the hill between St. Catherines and Thorold, where difficulty was experienced on account of the water, owing to the long dry ridge at this point. Certainly it would be very much easier to make the excavations there than at the other places. All these matters must be taken into consideration in contracting prices, and he was unable, not having the papers before him, to institute a comparison in any way. If even one day's notice had been given he would have thought that this was no more than ought to have been done, and then he would have been in a position to refer to the instances given. He did not say that the hon. gentleman misquoted any of these instances at all, but he might have quoted merely the figures and particulars which suited him. On a former occasion an hon. gentleman opposite had stated that very good care would be taken that none of the sums paid by political friends would be forfeited—he thought that the hon. member for Kingston had said this—and that some excuse would be found to pay back these amounts. The hon. gentleman would find that where parties refused to proceed with contracts where they were the lowest tenderers, that they were dealt with without reference to their political proclivities. Three parties, indeed, had to forfeit

each \$1,000 deposit. One of these was the firm of Brown & Co., of Ingersol who were well known in that district, he believed, as Reformers. They refused to proceed with the contract after it was awarded to them, they being the lowest tenderers, and their \$1,000 was forfeited. Another case was that of Adam Oliver & Co., also well-known political friends. They refused to proceed with the contract, and forfeited their \$1,000. Another instance was that of Macdonald & Kane, where the \$1,000 was forfeited for their refusing to proceed with the contract for section 15, Pacific Railway, which had been under discussion that morning in another place. The only instance where any one escaped, that he was aware of, was in the case of a contract on the Lachine Canal, where the Secretary of the Department paid the money back under a mistake, and but for this, it certainly would have been forfeited also. It would be seen, therefore, that he had always acted with the utmost possible impartiality in giving out these contracts. Supposing the hon gentleman should be right—he did not say whether he was right or wrong, as he had not had an opportunity of comparing the figures—in his assertion that the system of requiring money or landed security had operated so as to raise the price somewhat; even if that were so, it operated in securing to them the completion of the works without further cost. There was a case the other day. The mason (Mr. Lyons) who had one of the contracts on the Lachine Canal failed. They had been pursuing the habit, unknown to the Government, of sub-letting their work, and one of the sub-contractors, who had the greatest portion of the work, absconded with the greater portion of the last estimate paid to Lyons & Co. Under the law of Lower Canada, the proprietors of works to be executed under contract had a right to pay the workmen. No such right existed in any other Province that he was aware of. Under the operation of the Local law, as advised by the Minister of Justice, he was authorised to use the money due to the contractors for this purpose, and the sum of \$8,000 or \$9,000 was paid to the workmen under that arrange-

ment. They found out, on enquiry, that somewhere between \$15,000 and \$20,000 were due to the workmen on Messrs. Lyons & Co.'s contract. They had about \$16,000 of the money of the Company in their hands, and, in addition available security for \$14,500, and they would be able, in consequence of having exacted that kind of security, to pay the whole amount due to the workingmen, and have several thousands of dollars over, which would enable them to meet any possible loss in reletting the work. This was an instance where the system had operated most beneficially, both in the interests of the public and the interests of the workingmen. He had given last year in the House, in reply to a statement made by the hon. member for Kingston in one of his picnic speeches during the previous summer, the results of a tabulated statement, prepared in the department, to show that under their system what the hon. gentleman deprecated most was not correct, and that the contracts had reached the lowest tenderers to an amount immensely preponderating what took place under the hon. gentleman's Administration. He had given that as a triumphant proof of the superiority of the system, as well as of the strict impartiality of the Department. He might have occasion, before the House rose, to refer to the matter again, as he was not able now to refer to the documents in question, which he wished to see in the first place.

Mr. DYMOND said he had taken the liberty to interrupt the hon. gentleman (Mr. Langevin) because he desired to avoid trespassing on the time of the House, or in the slightest degree protracting a debate which had been sprung upon them in a manner not consistent with fairness to the Government or the members generally. This evidence was taken before the Public Accounts Committee, and was heard by hon. gentlemen who had the privilege of being members of that Committee; but it occupied 34 galleys, and he did not believe that any one member had yet had time to read it carefully, much less to read it with the care necessary to anything like a discussion or mere

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matters of detail. He only rose to supply the omission made in the hon. gentleman's speech to which he had called attention. It was quite true that Mr. Nixon, who appeared to him, as he listened to his evidence carefully, to have exercised the greatest possible prudence and caution with regard to these contracts, had done nothing of an important nature without reference to his chiefs, and that he gave the contract to Mr. Robinson at 44c. per tie without first offering it to two persons who had tendered previous to Robinson, and whose tenders were lower than Robinson's. The whole contract was for 165,000 ties; and the total amount represented by the tenders of these two persons who were passed over, was 15,000 ties, an amount insignificant in itself. The result, however, of a contrary course would have been this, assuming that Mr. Robinson, as was distinctly stated by Mr. Nixon, would have refused to have taken the tender if it were divided, there would have been a considerable loss to the country owing to the necessity that would then have been imposed on Mr. Nixon of passing to the next higher tenders. Had Nixon taken these ties from Nesbet and Pilan, he would have saved \$700; but had he thereby lost the offer of Mr. Robinson, he would have had to pay higher prices aggregating \$3,800. By refusing therefore to break upon the contract, by passing over these persons, and by accepting Mr. Robinson's tender, he actually saved to the Government and country, \$3,100. This would be found, on reference to the statement laid before the Committee by Mr. Nixon, of all the tenders, to be the actual result of such an operation, as the hon. member for Charlevoix would he supposed have advised. He did not think that it was fair or generous on the part of the hon. gentleman to conceal from the House the fact that such was the evidence given before the Committee. The evidence, he thought, was unfairly made—he said so with all respect and courtesy to the hon. gentleman—to convey an impression to the House that for some reason or other not disclosed Mr. Nixon had passed over certain lower tenders in order to favour Mr. Robinson. He had



given the exact result of what would have been the case if Mr. Nixon had accepted these two tenders and lost the opportunity of purchasing the ties from Mr. Robinson. He would just quote a very few passages from the evidence itself in confirmation of what he said. The hon. gentleman, in examining this witness, put the following question:—

“1534. You say that Mr. Robinson would not have accepted the contract if those two tenders for the 5,000 each had been left out?

One was for 5,000 and the other for 10,000; and Mr. Nixon, who was under oath, averred:—

—That is correct.

“1535. And then you would have been forced to go on to the next man?—Yes; he was still higher than Robinson.

“1536. In the interest of the Government you thought it better to accept at the 44c. tender than taking the risk of paying for 5,000 some five or ten cents more?—Certainly.

“1537. In giving the contract for 165,000 at 44c., though you passed over these two men, you saved the Government a considerable amount of money?—Yes.”

The hon. gentleman had alluded to the course taken by Mr. Nixon with reference to the tender of Mr. Quigley, who tendered for the whole quantity, but in whose case the same sort of complaint, as the hon. gentleman put it, did not apply. The hon. gentleman asked whether, until he reached Quigley's tender, he had offered the contract to all the other persons who were on the list until Quigley was reached, and the answer was, “Yes.” This was so in the case of Quigley. Mr. Nixon had not done what he afterwards did in the case of Robinson—pass over any smaller tenders in order that he might give the contract to one person; but that was explained in this way. The hon. the Minister of the Interior put this question:—

“1538. Was Quigley's tender for the whole amount?—Yes.

“1539. You consulted the parties between Martin and Quigley, that were tenderers?—Yes.

“1540. Did you obtain Quigley's assent to your doing that?—Yes.

“1541. So that Quigley was willing to take the balance of the ties, deducting this amount, at the rate at which he had tendered for the whole?—Yes.”

The difference between the two cases was this: Quigley was willing to take his contract although his tender was for the whole, allowing one or two small tenders to have the benefit of their offers, while Robinson was not willing to do so; and, therefore, in order that he might not lose the benefit of Robinson's tender, and be compelled to give a higher price to those who came after Robinson, Mr. Nixon declined to give an order to the two parties in question; this was the whole story on which the fabric of suggestion, or suspicion, was founded by the hon. member. He did not think it would be possible for any public official, placed in the position of Mr. Nixon, sent into a new country, surrounded by a large number of persons of the class of adventurers, himself ignorant of the character of a large number of those persons, and subject to all the tricks, traps and arts that might be brought to bear upon him, to come out more creditably than Mr. Nixon had come out in the Committee. He (Mr. Dymond) did not believe that anything had been shown to have been done by Mr. Nixon which could be called in the slightest degree criminal. He did not think that more than one or two things had been shown to have been done which might have been indiscreet, and he considered that from first to last Mr. Nixon had shown himself an honest man in the position in which he had been placed.

MR. PLUMB said that the member for North York, with characteristic obtrusiveness and desire to thrust himself forward in all discussions, had challenged a discussion in the case of Mr. Nixon, the purveyor, and the evidence adduced in that case before the Committee of Public Accounts. It was utterly irrelevant to the matter now under consideration, and but for the untimely and irrelevant remarks of the member for North York, it would have been left to come up in the proper course. It was, however, necessary to answer the member for North York, and Mr. Nixon would doubtless pray to be saved from his officious friends when he found himself in the position in which they had placed him. In respect to the important contract for 165,000 railway

ties for the Pacific Railway, between Red River and Rat Portage, Mr. Nixon advertised for tenders to be opened on the 4th February, 1873, the ties to be delivered in lots of not less than 5,000, as follows: 74,000 at St. Boniface; 90,000 at Rat River, and 30,000 at River Rousseau, and a limited portion at intermediate points. The advertisement did not state that the tenderers would be required to give security for the fulfilment of their contracts, nor were they required to deposit a sum as earnest-money before their tenders could be considered; and yet this practice had been adopted by the Government and made a matter of boasting in all the pic-nic orations of last summer by the First Minister and others of his company, and it was a course which it was eminently desirable for Mr. Nixon to adopt in this case, if it was in any case. But he did not ask for the deposit, nor did he notify the tenderers by his advertisement that he would require them to give security for the performance of their contract in case their tenders were accepted. Thirty-four tenders were received, at prices ranging from 25c. up to 75c. for each tie. Upon opening the tenders, he notified Mr. Martin, who had tendered for the whole at 25c. each, that his tender was accepted. But Mr. Martin had meanwhile received an appointment from the Department of the Interior as land surveyor, and his letter coolly states that, not being able to attend to both, that is, to delivering the ties and surveying Government lands, he begs to decline Mr. Nixon's offer. He would have supposed that it was his own offer, and that, at least, a reason should have been given that did not implicate the Government, or that Mr. Martin's appointment should have been very promptly cancelled. Other parties, whose tenders ranged from 25c. to 38c., declined to give security, except Mr. Quigley, who tendered at 27c. for the whole, and was prepared to give security; but he wanted pay at the rate of 90 per cent. on delivery of ties on the line, and a proportionate amount for those delivered on the bank of the river, meaning, doubtless, Rat River and Rousseau River. The Department at Ottawa telegraphed, in reply to Mr.

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Nixon: "No advance on ties in woods or on rivers away from line." Now, there is no evidence that Quigley wanted advances on ties delivered on rivers away from the line, but his letter in respect to the refusal of Nixon to give him the contract expressly states: "As you now officially inform me that no percentage whatever will be paid for ties on banks of river, I must respectfully decline to sign any contract wanting that clause." It will be seen that Quigley in this case, as he did in all others, speaks of a river, and not of rivers. In his evidence Nixon covered up this very questionable transaction. Two of the tenders below the price at which the contract was finally awarded, 44c., were entirely overlooked, and the contract was given to Mr. Robinson, with the result of a difference of nearly \$33,000 in the whole amount. Mr. Nixon had stated that he proposed to reserve for two lower tenderers 10,000 and 5,000 ties, and to give Mr. Robinson the rest. Mr. Robinson very naturally said he would not permit that. Mr. Nixon, as he (Mr. Plumb) thought, without doing his duty, permitted Mr. Robinson to dictate to him, and gave him the whole contract at 44c. It might be said that Mr. Robinson insisted on delivering the whole, and that if the contract had not been given to him, it must have been given to some higher tenderer. The hon. gentleman who had advanced an argument of that kind had very little experience, or he would not have presumed to suggest it to the House. The duty of Mr. Nixon, when he found that eleven of the tenderers had withdrawn, was to assume that there was some collusion, and that the Government was not getting fair-play, and he should have advertised for other tenders. It was not sound policy for the Government to give so large a contract to one person. They should have distributed the awards, if possible, among those who had offered to furnish 5,000 or 10,000 ties each. It was evident that it was safer and better to contract for 5,000 or 10,000 ties each, with many persons, than with one for the whole. It would have given employment and aid to many persons who were entitled to consideration—poor men who could not afford

to monopolize the whole contract—and he (Mr. Plumb) undertook to say that no contractor, looking after his own interest, would have accepted Robinson's tender. The House had been, just now, told that this ingenious gentleman, Mr. Nixon, was inexperienced and ignorant, that tricks and traps and arts were used by the sharp-dealers in the North-West to beguile his youthful innocence. Unless Mr. Nixon was well prepared to meet any trick, or trap, or art, he (Mr. Plumb) was very much deceived. In fact, he had shown a cheerful readiness to go out of his way to fall into the traps. In his examination, he had been aided by the interposition of the hon. member for North York (Mr. Dymond), the hon. member for East Elgin (Mr. Macdougall) and the hon. the Minister of Finance.

**MR. CARTWRIGHT:** When did I interpose?

**MR. PLUMB** said the hon. gentleman interposed to help Mr. Nixon out of a very embarrassing position. Mr. Nixon was asked by the hon. member for Frontenac (Mr. Kirkpatrick) whether he owned any property, or had bought any land in Winnipeg. Mr. Nixon, after much hesitation, was able to remember that he had purchased a lot in Winnipeg, and he was asked what it was used for. He said for a Temperance Hall. Then he was asked if he had any other lands there. He hesitated again, and then said: "Yes; I have bought some Half-Breed script from Mr. Bannatyne." Dead silence. Again his (Mr. Plumb's) friend asked him: "Have you any other property?" He said: "Yes; I remember now, I bought a house and lot from Mr. Bannatyne." "What did you pay him?" "Fifteen hundred dollars; but I laid out \$400 in repairs." He was very anxious to get that in. "How did you pay him?" "I gave \$500 in cash, and gave him a mortgage for the remainder, \$1900." "What has been done with the building?" "It is rented to the Government." "Your name does not figure in the Public Accounts?" "No." "Whose name does the transaction appear in?" "Mr. Strang's." "Who is he?" "Mr. Bannatyne's

head clerk." "What rent is paid for it?" "\$430 a year;" so that \$430 a year is paid as rental for a property which cost \$1,500. That was rather embarrassing. Even Mr. Nixon, though he had a cast-iron countenance, looked a little embarrassed. Then, the Finance Minister said: "What is the rate of interest in Manitoba?" Nixon's face brightened up, like an old hat in a shower of rain, and he said that the rate of interest in Manitoba was from 15½ to 17 per cent. on gilt-edged paper; so that the amount paid was only 7 or 8 per cent. too high, according to that. However, his (Mr. Plumb's) cruel friend, the member for Frontenac, asked: "What rate of interest do you pay Mr. Bannatyne on that mortgage?" And Mr. Nixon said: "Only 6 per cent., Sir. I refused to buy on any other terms." So that destroyed the pretty little theory of the Finance Minister. He contradicted the statement of his hon. friend as to the straightforward and honest testimony of the purveyor; and the First Minister himself had indicated to the Committee that he was not satisfied with the system pursued in the North-West. If, as the hon. gentleman had said, Mr. Nixon was so innocent, and had to meet these tricks and traps which were spread for him, he (Mr. Plumb) repeated that the purveyor certainly had the most fatal faculty for falling into those traps. On his very first appearance at Winnipeg, he was found cheek by jowl with one of the contractors, with whom he afterwards dealt largely for supplies. He went to his house and lived there, free of charge, for about five months, or thereabouts, and, in the course of the long winter evenings, the worthy trader must have found out from the innocent gentleman what he was going to do; and he could very well afford to give Mr. Nixon his board for five months, for which long afterwards he claims to have paid by a present of a lot of Brummagen knives and forks. The astute trader also gave Mr. Nixon a cutter. "But," said Mr. Nixon, "I paid him a cheque for \$125 for it." Then he was asked whether that cheque had been cashed at the bank. "No," he said, "Mr. Sutherland gave it back to

my wife," and he was so indignant with Mr. Sutherland that he let his wife keep it—pocketed the insult in fact. He afterwards tumbled neck and heels into the trap of Mr. Bannatyne, a member of Parliament, with whom he had Government dealings to the extent of thousands of dollars, who was known to be so dealing with the Government by the authorities at Ottawa. Still they did not lift up their voices to prevent Mr. Nixon from dealing with him. Mr. Bannatyne was sitting and voting in Parliament two years while his large dealings with Mr. Nixon were going on, and is now absent because he is afraid of being prosecuted and dares not take his seat. When Mr. Sutherland, the hospitable gentleman who boarded Mr. Nixon without charge for five months, gave the Government an inferior kind of coffee, how could Nixon interfere, he had Sutherland's food in his stomach. He had stated that he did not know that the coffee delivered was not worth the price paid; but we asked him whether he had inspected the coffee or not. Mr. Nixon was an orator and he made a speech, and then he made another speech, at the end of which he said he could not remember, but he could not say he did not, and we rested there because he was rather a slippery witness. He (Mr. Plumb) asked him if he knew one O'Donnell who was employed by Sutherland to deliver goods. Nixon said, "Yes." He (Mr. Plumb) asked him if Mr. O'Donnell had told him the coffee was bad. Nixon could not remember, but he could not say he had not been so told, and that was pretty good evidence against him, because if he could have denied it he would have done so. He was very glib of tongue and very ready of speech on his own defence. Another case more glaring than this was that of a beef contract by which there appears to have been a loss of \$4,000. The purveyor was advised that Mr. DeMers, a large cattle trader who lived in Montana had gone to Ottawa in October, 1876, and offered to supply beef to the Government at certain prices. He stipulated that this offer should be open till the first of March. For some reason or other the purveyor at Winnipeg seemed not to have been notified of this till the first of May, 1877. Then he

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advertised for tenders for beef to be delivered at certain periods in the North-West. Mr. DeMers referred to two gentlemen at Winnipeg, with whom he requested the Government to communicate on his behalf, Mr. Royal and Mr. Gouin. Mr. Nixon advertised on May 1st, 1877, for tenders to be awarded at the end of ten days; and when these tenders were advertised for, Mr. Gouin said he had no doubt Mr. DeMers would furnish the beef upon the terms stated in his previous tender, that he did not like to bind him but that he would communicate with him; he supposed his residence to be within 25 miles of a telegraph station in Montana, to which he sent a despatch. Mr. Nixon said he would give him two days to get an answer. The two days expired and two days more were given, altogether twelve days time was given him.

MR. DYMOND: Fourteen days.

MR. PLUMB: Very well, fourteen days; take any time you like. No tidings came back from Mr. DeMers; no attempt seems to have been made by Mr. Nixon to ascertain the cause, and the contract was then awarded to Mr. McKay, at 12½c. a pound, on the 24th of May, and next day a telegram was received from DeMers renewing his offer of eight cents a pound. He lived 125 miles from the telegraph station instead of twenty-five miles. Nixon could have ascertained this at Winnipeg, and, doubtless, would have done so, if he had been interested in saving the Government money. But he dodged our questions in the most artful way, and actually said he had saved the Government \$3,000 or \$4,000 by awarding the contract to Mr. McKay. Mr. DeMers, he stated, only intended to deliver slaughtered beef at Edmonton and points south of Edmonton, and for other points, the offer was for beef on the hoof, at double the price. He was asked why he did not wait, and he said he was told that Mr. DeMers' place of residence was only twenty-five miles away from a telegraph station, and that he had given him time enough. It turned out, as I have stated that it was 125 miles from a telegraph station. That a carrier was sent to him, and that he replied

immediately that he would accept the contract at eight cents per pound; but in the meantime the contract was awarded. Mr. Nixon made a very lame story about Mr. DeMers having offered only to deliver slaughtered beef at a certain point. It could make very little difference to him whether he drove cattle 150 miles or more, one way or the other. A good many of the points were south-east of that specified, and the delivery from Montana could not have been more expensive there than at Edmonton; besides Mr. DeMers stated that he was willing to deliver the slaughtered beef at the points required. Mr. Nixon very artfully stated that he had "no tender from Mr. DeMers for a supply of slaughtered beef, good, bad or indifferent, for any point east of Edmonton, and he wanted it nowhere else," "that the price of slaughtered beef is mentioned, at only live weight." Mr. DeMers, himself, has contradicted the first position. Now for the other. Will it be believed that the following statement was made by Mr. Nixon, and is recorded in his evidence, answer 1136; he is reading from DeMers letter to the Department. "I will undertake to deliver in the course of the summer first class stock cattle, durham breed, such as milch cows, bulls and working oxen, at the following places, for the figure opposite each respective place,

"Edmonton.....	4	cents	live	weight.
"Battle River...	4½	"	"	"
"Pitt.....	5½	"	"	"
"McLeod.....	3½	"	"	"
"Qu'Appelle....	7	"	"	"
"Winnipeg....	8	"	"	"

Mr. Nixon then stated that these prices must be more than doubled to give the price of dressed beef, and, therefore, he wished the Commissioners to believe that he had saved money by awarding the contract to McKay. Now, what will be thought of the innocence of the worthy purveyor, when the fact is stated that this offer was not for beef for slaughter, and that Mr. Nixon omitted to state that it was an entirely distinct offer from that for dressed beef, and that it was for cattle for an entirely different purpose, namely, for farm stock, and that accidentally, of course, he omitted to read the next sentence in Mr. DeMers letter, which is as follows:—

"I beg respectfully to call your attention to the fact that, in most cases, cattle shipped for butchers' shops can be sold at a figure below the price obtained for cattle selected for stocking a farm, in which case the breed, age, soundness, and working quality are exclusively taken into consideration. The above schedule is made in that view."

Throughout a searching examination, Mr. Nixon pertinaciously insisted upon bringing forward this last offer of DeMers as one with which to compare and justify his very questionable, and, to his (Mr. Plumb's) mind, his wholly unjustifiable course in giving out the beef contract at 12½c. to McKay, when it was probable, and afterwards became certain, that DeMers would furnish it at 8c. a pound, at the points and at the periods required. He must have known that the beef could be furnished as cheap in summer as in winter—cheaper, in fact. But he was sustained and protected and defended by the ready interference of many members of the Committee; but at last he was effectually cornered, and being asked if the offer in question, upon which all his defence had been made, was an offer for cattle for slaughter purposes, he answered: "No, it is not," and with this answer on record and its context, Mr. Nixon's virtue as a faithful public agent may be left to the public judgment. This innocent, intelligent and careful purveyor had tried to hoodwink the Committee in regard to this matter; and the hon. member for North York had, at the last moment, endeavoured to stifle the discussion.

MR. DYMOND: That statement is wholly untrue.

MR. SPEAKER: I think the hon. member is out of order when he charges any hon. member with endeavouring to stifle discussion.

MR. PLUMB: Then, of course, I take that back, but the hon. gentleman's interruptions had the effect of doing so.

MR. DYMOND: I submit that while it may be in order to discuss evidence laid before this House, it is not in order to discuss the conduct, actions or bearing of any member of this House before a committee, unless that is formally submitted by the committee.

SIR JOHN A. MACDONALD: That is quite true, but it is quite in order to state that the effect of the mode in which an examination was conducted was to stifle the discussion, no matter how it was done.

MR. BLAKE said it was in order to state the effect of interruptions, but it was entirely out of order to state what members of the Committee did, and would evoke an interminable discussion. The hon. gentleman could argue from the "galley" and not beyond it.

SIR JOHN A. MACDONALD said the interruptions and the mode of putting the questions and the mode of objecting all appeared on the record.

MR. SPEAKER: I do not think the hon. gentleman can depart from the record itself. He cannot supplement it.

MR. MACKENZIE said he had taken no part in that examination. He had not been aware of anything wrong in the conduct of Mr. Nixon, but he had felt bound to read all the evidence and judge Mr. Nixon fairly upon the evidence, with such further investigation as the Government thought proper to institute; and he doubted extremely the propriety of discussing in this way, almost as a party matter, the question whether Mr. Nixon had or had not performed his duty properly. It was not conducive to the ends of justice or fair to the person accused.

SIR JOHN A. MACDONALD: I understand from the Prime Minister that the hon. member for North York (Mr. Dymond) was not stating the sentiments of the Government in his laboured panegyric of Mr. Nixon.

MR. MACKENZIE: No man acts as the amanuensis of the Government as far as I am concerned. He had passed no opinion whatever, nor could he have done so. The hon. member for North York had a right to express his own opinions. He (Mr. Mackenzie) was not in a position to express an opinion, as he had not heard out this investigation, knowing that it would be taken down in shorthand.

MR. PLUMB said the First Minister having, as usual, interpolated a speech

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by way of interrupting his (Mr. Plumb's) argument. He must again state to the House that the hon. member for North York had chosen, by his eulogium upon Mr. Nixon, to place those who took an active part in the Committee of Public Accounts, upon the enquiry into the expenditure of the purveyor, in a position which had compelled him (Mr. Plumb) reluctantly to say what he should not otherwise have thought it timely to say. Mr. Nixon might thank the zealous member for North York for having stirred up the affair which otherwise might have been let alone. He (Mr. Plumb) had not sought this discussion, was not prepared for it, and had not the slightest idea that it would have been brought up now, or of entering into it, until the hon. member for North York rose in his place and uttered a panegyric on Mr. Nixon, which would be scarcely justified by the very questionable position in which that officer was placed by the evidence before the House. He (Mr. Plumb) did not desire to discourage Mr. Nixon. If he was in fault, the Government had been gravely in fault also in permitting him to carry on so loose a system, as upon his own showing he had carried on in their behalf and with their concurrence. Almost every transaction entered into was not such a one as any man would have entered into, who had his own money at stake. He was dealing, without contracts or tenders, everywhere. He did not call for tenders or security in his dealings with responsible merchants. Yet he gave Bannatyne's clerk, Mr. Strang, large contracts without reflecting, as he states, whether the goods belonged to him or not. He gave contracts to Bannatyne's father-in-law, an old gentleman of over eighty years of age, long past active life. The supplies came from Bannatyne's store, and innocent Mr. Nixon could not say that there was any connection between Bannatyne and that venerable contractor. He bought goods in absurdly small quantities for the supplies of the Mounted Police. The reason he gave was that he could not get the specifications before the goods were wanted. That was in 1875, when he first went up. But the same system was continued in 1876 to 1877. No doubt,

when the Minister of the Interior visited Manitoba, he saw it was not a proper way of doing business, and had it changed. So much for the daub of whitewash with which the member for North York has made his client rather painfully conspicuous. With regard to the general question of contracts, he (Mr. Plumb) would say that there had been as yet no evidence to prove that any benefit was derived from demanding a thousand dollars security from the tenderer before his tender could be considered by the Department of Public Works. The hon. member for Charlevoix had shown conclusively that the claim made by the hon. the First Minister with respect to the reforms of the present Government in the system of letting contracts, and their advantageous results, were not supported by facts; and that the laboured comparisons which had been adduced by the First Minister between his system and that of the late Government, had been conclusively shown by the hon. member for Charlevoix, who spoke by authority, as the First Minister's predecessor, to have been unfair and unwarranted.

MR. MACDOUGALL (East Elgin) said he did not intend to discuss the lengthy evidence adduced before the Committee; as had already been stated, this was not an opportune time to do so. The hon. member for Niagara, with the courtesy which usually characterized him, had seen fit to accuse him (Mr. Macdougall) of having aided in stifling enquiry before said Committee; and the right hon. gentleman who led the Opposition, assumed that the statement was correct. He (Mr. Macdougall) begged to differ from both hon. gentlemen; he begged to submit that this was a statement which required evidence to sustain it, and if this were the proper time and place for discussing that question, he thought the proposition he was about to enunciate would be ably sustained. The Nixon investigation lasted several days, during which the fullest opportunity had been given for a thorough examination of the subject. Mr. Nixon was examined at considerable length, and every facility was given to obtain the fullest explanations. He (Mr. Macdougall)

could not understand why the hon. member for Niagara had accused him and the hon. member for North York of having aided in stifling enquiry. The only interruption to the hon. member for Niagara which he (Mr. Macdougall) could remember was, when the hon gentlemen proposed a question so long, and involved and indirect, that he (Mr. Macdougall) and the hon member for North York felt bound to come to his assistance and help him to formulate his question in an intelligible state, in order to obtain an intelligible reply. The thanks which they now received for their labour, in that case a labour of love, was the accusation that it was done to stifle enquiry. He believed the members of the Committee would agree with him that there was no desire to interrupt nor to stifle enquiry; in fact, there was no occasion to do so. The only desire was to ascertain whether there was any ground for the accusation that there were irregularities on the management of public affairs in the North-West, and that Mr. Nixon had contributed to those irregularities. At the same time, he (Mr. Macdougall) felt it his duty, as others felt it theirs, to see that no unfair advantage was taken of the witness, to see that he received the protection to which he was entitled, from the members of the Committee, in the position he occupied, which could be done without the slightest detriment to the fullest investigation. He was quite sure the hon gentleman would see on reflection, that his statement was uncalled for. With regard to Mr. DeMers' contract, of which hon. gentlemen had spoken, it appeared from Mr. Bowen's letter, which was read by the witness and placed on record, that the witness, Mr. Nixon, had no other information than that given by Bowen that DeMers lived some twenty-five miles away. It would have been but fair for the hon. gentleman to have stated that the tenders asked for dressed beef and not live beef; and that Mr. DeMers had not sent any tender, but had made an offer to supply live beef. The difference between the two was that dressed beef cost twice as much as live beef. Further, the evidence showed there was a small difference in favour of the McKay

contract, as compared with the DeMers offer, in case purchases had been made of these cattle; and, again, these cattle, even if Mr. Nixon had purchased them, would have had to be fed before being slaughtered. What was required at that time was dressed beef; and several of the places mentioned by DeMers were not those where it was required the beef should be delivered. On referring to Mr. DeMers letter, it would be found that he stated there was no use in waiting any longer. In the evidence, with respect to this contract, it led to the conclusion that Mr. Nixon had done all he possibly could to get the beef at as low a price as possible, under the circumstances, and had made as good a bargain as could have been made. He (Mr. Macdougall) had endeavoured throughout, to act impartially in the matter, neither to unduly favour Mr. Nixon nor to do him any injustice, but to see that he had an opportunity of answering the questions fairly, and that the questions were put to him in a proper state, so that a definite conclusion could be arrived at by the Committee.

MR. ORTON said he wished to make a few remarks concerning the ties contract, which had excited a great deal of discussion in the riding which he had the honour to represent. This contract had been let to Mr. Robinson, a brother of the gentleman who, after a great deal of persuasion, had taken the lead, in the forlorn hope in that Riding, on behalf of the Government. Public rumour, which, of course, was not always correct, had it that Government contractors were in the habit of contributing largely to election funds on behalf of the Government; that large sums of money had been expended during the recent elections for this House, supplied by those contractors, and that they had also subscribed very largely towards the elections now coming on in Quebec. Whether those rumours had any foundation or not, it was highly important in the interests of the public that a close investigation should be held with regard to the mode of allotting public contracts. There certainly seemed to be grave reason for suspicion when a contract was given out for 165,000 ties, the dif-

**MR. MACDOUGALL.**

ference between the contract price and the lowest tender being \$31,000, and that this lowest tenderer had been given a Government position to get him out of the way; and, when it was further found that the next tenderer, Mr. Quigley, had tendered at 27c., his tender and the one accepted being \$27,500. The total amount to be received by Mr. Robinson for this contract was something over \$72,000. The contract was let to Mr. Robinson without any adequate reason, at \$27,500 higher than Mr. Quigley's tender, although Mr. Quigley was prepared to give the necessary security, the only reason for his non-acceptance of the contract being that Mr. Nixon refused to make monthly payments so as to enable him to fulfil his contract with less financial difficulty.

MR. MACKENZIE: That cannot be so. I would like the hon. gentleman to read the part which said he was refused monthly payments.

MR. ORTON said he took his information from an extract from a paper in the interests of the Government. Not being a member of the Public Accounts Committee, he had not an opportunity of looking carefully over the report.

MR. MACKENZIE: The statement is not correct.

MR. ORTON said he would quote from the *Fergus News Record*, which supported the Government in his Riding. A report of the evidence before the Public Accounts Committee with regard to this contract, in that paper, stated that Mr. Quigley refused to accept unless on the basis of monthly payments for the ties delivered on the banks of the river. He was informed this could not be done, and declined to accept the contract. There did not seem to be any adequate reason given why Mr. Quigley was not given that contract on the basis he desired. When such a large amount, no less than \$27,508, of public money was at stake; when such carelessness and recklessness, if no more, were seen in the letting of contracts, there was grave reason for the public rumours to which he had referred.



MR. MACDOUGALL said that the evidence proved that the reason that Mr. Quigley refused was because he would not be paid for the ties in the woods, but only when delivered at the proper places.

MR. ORTON said he thought he had, at any rate, shown there had been great carelessness and a great wrong done with regard to the letting of this contract. It had been charged by newspapers in his county that it had been done for the purpose of giving courage to his opponent. Of course these rumours might be without foundation, but when so large a sum of money was given to Mr. Robinson over and above the other tenders, one could not help thinking, to use a vulgar expression, that "there must be a nigger in the fence somewhere." When the position which Mr. Nixon took on another very memorable occasion was recollected, when it was the interest of the Reform Government in Ontario to succeed at their elections, when his conduct in the township of Proton was also recollected, and when it was remembered that he was rewarded for his signal services on that occasion, by a lucrative appointment in Manitoba, the suspicion could not help arising that Mr. Nixon might again deem it his duty to step out of the path of honesty and uprightness, in order to favour a friend of the Government. He (Mr. Orton) did not say that the gentleman who now opposed him had any interest in his brother's (Mr. Robinson's) contract. In fact, he stated he had not, and he (Mr. Orton) believed the statement, because he considered him an honourable man.

MR. YOUNG said he thought the hon. gentleman had gone a long way to make a round-about attack on a gentleman who had been brought out against him in Centre Wellington. Matters of that kind could very well be left to the elections and not trouble this House with them, particularly when the hon. gentleman had proven that he knew nothing whatever of the subject which he had attempted to discuss. He had never seen a more gross exposure of ignorance than had been made by the hon. gentleman.

The evidence taken before the Committee had been before the House for several days.

MR. ORTON said he had not seen a copy of it yet.

MR. YOUNG said if the evidence had not been yet sent to the hon. gentleman, it had, at any rate, appeared in the public newspapers two or three weeks ago, and the hon. gentleman had had ample opportunity to become acquainted with the facts of the case had he any desire to do so. He (Mr. Young) did not intend to discuss this matter at any particular length. It was only fair to purveyor Nixon, however, to say that he had been most unfairly attacked on several points by hon. gentlemen opposite; that, so far as his contracts in connection with ties and beef were concerned, the evidence brought out before the Committee proved that he had exercised the greatest care to make the best bargain possible for the Government, and that in not one single particular had he been guilty of the slightest infraction of duty in letting out these contracts. With regard to the contract for ties, he advertised for contracts in the usual way. Thirty-three persons tendered for the supply of those ties. Mr. Nixon offered the contract to one after another of the lowest tenderers, and, in every case, they refused to accept it at the prices at which they had tendered, for the simple reason that in nearly all those cases they had tendered at from 33½ to 50 per cent. below what it was possible to supply the ties for at the points where they were required. He then came down to the three tenders already referred to by other speakers, after passing over eight. The first of these three tenders was John Nesbitt, who tendered for 10,000 ties at 39c.; the next was Joseph Pilan and Pierre St. Germain for 5,000 ties at 40c. These gentlemen had tendered for 15,000 out of the 165,000 ties. Mr. Nixon did not know exactly where their residences were. He went to the next tenderer, Mr. Robinson, who had offered to supply the whole 165,000 tons, and offered him the contract, less these 15,000 ties which he intended to give to those who had tendered for them at a slightly lower

rate. Mr. Robinson replied that if he did not get the whole contract, he would withdraw his tender. He (Mr. Young) claimed that Mr. Nixon acted like a man possessed of common sense, when he agreed to accept the tender for the whole amount, the difference being so slight on the smaller tenders. Had he accepted the tenders of those gentlemen for the 15,000 ties, and they had been willing to carry them out, of which there was no evidence, he might have failed in letting the contract for the balance, at as low a price as Mr. Robinson had tendered at, and have caused the country to lose, instead of several hundred, several thousand dollars. The hon. gentleman, in his desire to help himself in his constituency and to make a round-about attack on his opponent, had undertaken to represent that a Mr. Quigley had been passed over in order to favour Mr. Robinson, who had obtained the contract, and was a brother of his political opponent. If the hon. gentleman had studied the matter thoroughly and had looked into the evidence, he would have found that Mr. Nixon had given the reason why Mr. Quigley did not get the contract, and had produced a letter from that gentleman, in which he refused to take it. The following was a letter written by Mr. Quigley:—

“WINNIPEG, MANITOBA, }  
“18th February 1878. }

“DEAR SIR,—I beg respectfully to inform you that I am prepared to fulfil all the conditions demanded for the due fulfilment of the contract for supplying 165,000 railway ties as tendered for by me.

“I would now respectfully ask, on my part, that a clause be inserted in the contract, in accordance with your verbal expressions, and as understood by me, viz: that payments be made monthly at the rate of 90 per cent. on all delivered on the line, and a proportionate percentage on all delivered on banks of river.

“I have the honour to be,  
“Your obedient servant,

“ (Signed) T. M. QUIGLEY,

“Contractor,  
“P. O. Box 230, Winnipeg.”

“THOS. NIXON, Esq.,  
“Paymaster, C. P. R.,  
“Winnipeg.”

MR. YOUNG.

Now. Mr. Nixon clearly explained that the contract called for would be delivered on the railway, and, to undertake to pay for them while lying in the woods, and on the banks of the river was some thing which it was quite impossible for the Department to agree to. This made the thing an entirely different matter altogether. How was he to bring the ties from the banks of the river and from all over the country where they were located to the line of railway, and this made it impossible for Mr. Nixon to accept a tender with this condition which Mr. Quigley, after he tendered, desired should be placed in it. The fact was that in the very steps taken by Mr. Nixon, it was clear that he endeavoured to obtain the contract at the lowest price, that he offered it to every one who tendered at a low rate, and that every one refused up to the time when he came to the tender of the two persons he had mentioned; and when he found that Mr. Robinson was not prepared to go on with the contract unless he received the whole of it, he acted in the interests of the Government and of common sense when he gave to Mr. Robinson the whole contract with regard to the contract which was let for the supply of beef in the North-West. Mr. Nixon's contract was quite clearly correct, as it was in the case of the ties. The hon. member for Niagara had referred to what he called the tender sent in by Mr. Demers, for the supply of beef at a lower rate, as the hon. gentleman alleged, than Mr. MacKay's tender, to whom the contract was awarded. As a matter of fact, Demers never put in any tender at all. No such tender at all was before Mr. Nixon. Demers, it appeared, was in Ottawa in the Fall of 1876, and he (Mr. Demers) wrote a letter to the Department that he was prepared to supply beef for the use of Government officers and men in the North-West at a certain rate; but Mr. Nixon never heard of this letter until after he had asked for tenders in the North-West. Mr. Nixon called for tenders, as would be seen in the evidence before them, to be sent in for the supply of this beef some time in the month of May last. On the 12th of October

previous, the Department here had sent up this informal letter of Mr. Demers to Mr. Provencher, the Indian agent in the North-West, for his consideration. Mr. Nixon never heard or knew anything about it until the 2nd of May, a few days before the tenders for the supply of beef were sent in. What did Mr. Nixon do? This letter was really not a tender. It did not comply with the conditions of the contract as specified in the advertisement; but so anxious was he to get the beef cheaper for the Government if he could possibly do it, that he went to see two friends of Demers in Winnipeg, by whose assistance he expected that he might be put in communication with Demers. The result was that he telegraphed to Demers to know whether he was prepared to supply dressed beef at 8cts. a pound, at the places at which the Government wanted it; these friends informed Mr. Nixon that Demers only lived twenty-five miles from a telegraph office. Nixon at first said he would give them two days to get a reply, his reason being that he wished to hurry them up. The time for supplying the beef was fast coming on, and there was no time to be lost. No answer came in two days and the time was then extended to fourteen days; and during this time Mr. Nixon received no word whatsoever from Demers with regard to the matter. The result was that, as a matter of course, he was bound to go on and let the contract. Plenty of time was given in order to hear from Demers. Mr. Nixon took every possible precaution, he had no tender before him that called him to look into this matter—but simply his zeal in the Government service, to get the beef at the lowest rate, induced him to take these means to see if Mr. Demers was prepared to supply the beef at such a rate. No tender or word having been received from Demers, Mr. Nixon was quite right in going on and letting the contract to the tenderers which he had before him. And to show the utter absurdity of the statement that Nixon had overlooked Demers' tender, and that loss had thus accrued to the country, he would mention the fact that Demers' letter, taken as it was,

showed that it would have been not cheaper, but dearer for the Government, if Mr. Nixon had acted on the letter as it appeared before him.

MR. KIRKPATRICK: Why did Mr. Nixon accept that tender?

MR. YOUNG: He never did.

MR. KIRKPATRICK: Yes; a telegram was sent and he accepted it.

MR. YOUNG: No; but he telegraphed to Mr. Demers to see if he would supply dressed beef at 8cts. a pound, not that he would accept the tender. He wanted to know if Demers was prepared to carry out his offer.

MR. KIRKPATRICK: Here is the telegram.

“WINNIPEG, 12th May, 1877.

“Your tender for dressed beef, made October last, Ottawa, accepted to-day.”

MR. CARTWRIGHT: Signed by whom?

MR. KIRKPATRICK: Gouin; who says that this tender was then accepted.

MR. YOUNG said that Mr. Nixon, on oath before the Committee, swore, and repeated the statement again and again, that he did not telegraph accepting Demers' offer, but that he was desirous of knowing whether Demers would supply dressed beef at 8c. a pound, which his friends in the city said he would do. Mr. Nixon had no tender to that effect; he had nothing that he could hold Demers to; and, therefore, he wished to know whether Demers would confirm the statement which his friends in Winnipeg made; but no answer, as they know, was received to his application. Taking Demers' letter here, as a matter of fact, if Nixon had accepted the offer it contained, and if Demers had acted up to it, this would have cost the Government more than even the tender which was actually accepted. If they read this letter carefully, they would find that it did not undertake to supply dressed beef at any point except Edmonton and places south of it, whereas all the beef required there was some 3,000lbs., while the great bulk of the meat was required at points, in some cases, about 1,000 miles further west.

MR. KIRKPATRICK : This is Demers' statement :—

“WINNIPEG, MANITOBA, 31st Aug., 1877.

“I went to Ottawa in October last, and while there wrote the Minister of the Interior, offering to furnish beef at such places and in such quantity in the North-West Territory as the Government would require during the summer of 1877, at the price of eight cents per pound.”

And this was the tender which the telegram stated was accepted; and if, as you state, this would have cost the Government more, why did Mr. Nixon accept it?

MR. YOUNG said he had already explained to the hon. gentleman that Mr. Nixon had again and again sworn that the statement that he accepted this offer was the statement made by another gentleman, and not by himself, in the city of Winnipeg.

MR. HOLTON : Who was Gouin?

MR. YOUNG : A friend of Demers. Under this letter there was no means on the part of Mr. Nixon whereby Demers could have been held to supply the beef at the price stated at points further east than Edmonton, which, of course, might have made the cost of the beef very much greater than the price at which it was supplied by MacKay. He (Mr. Young) had watched the proceedings of this Committee very closely. He was desirous of ascertaining the truth with regard to the action of Nixon in this case, and after the investigation was over, he came to the conclusion, which he here stated, that so far as these two contracts were concerned, Mr. Nixon had acted in a highly proper manner in every respect, and in a way to promote the best interests of the country, whose agent he was in the North-West. It was not his place to defend Mr. Nixon on the floor of this House, or to answer for his actions. He thought, however, that it was unfair for the hon. member for Niagara to say that in going to the North-West, Nixon did so to board with a contractor. This man was not then a contractor. Nixon swore that he expected to pay for his board to Sutherland when he went there. He considered, nevertheless, that it would have been wiser for

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Nixon when he found out that he was likely to be a contractor to have removed promptly, as he did five months afterwards. Although it was true that Nixon paid for the cutter he received from Sutherland and gave a cheque for it, this cheque was returned. He thought that Nixon would have acted wisely if he had upon no consideration whatever received any such present from Sutherland's hands; but he was bound to say that in the close investigation that was made looking into every fact and point, it was not shown that in any single particular Nixon ever favoured Sutherland or that a single dollar was lost to the Government by his action in the matters that came before him. Mr. Sutherland evidently sought to placate Nixon and endeavour to bestow some favours upon him; but there was no evidence before them that Nixon ever favoured Sutherland or any other person else to the disadvantage of the Government. In nearly all the cases, if not in all, Nixon accepted the lowest tenders for the articles tendered. Regarding the lease of the workhouse for Government stores, he thought it only justice to Nixon to say, what was not brought out by the member for Niagara, that in his own warehouse, which he bought to be leased to the Government, he referred the matter to the Department before the lease was effected.

MR. KIRKPATRICK : No; he said he did not do it.

MR. YOUNG : Oh, he did.

MR. KIRKPATRICK : I beg your pardon.

MR. YOUNG said he so understood Nixon; and further, he swore there was only one other available warehouse in the city. The one they had formerly occupied was in such a dilapidated condition, it was necessary to remove from it, while it necessitated the employment of two or three storemen in different parts of the city. In making the change, therefore, there were only two places available; the place besides the one which Nixon leased to the Government. The person owning it had refused to let it for less than \$720 per annum, whereas the rent of the

warehouse now occupied was only \$430. He had no hesitation in saying he thought that whatever the circumstances were, it was not discreet on the part of Nixon to use a building in which he himself had an interest. No wrong was possibly done to the Government or country, but a gentleman occupying such a position should keep as far away from any position that might be misinterpreted as he possibly could. However, these were minor points, and so far as the contracts that passed through Nixon's hands in the North-West were concerned, he believed that the general feeling of the committee, or at least of the majority, was, that Nixon acted wisely and discreetly, and in the interests of the Government, and had shown due care in awarding these contracts, letting them, in almost every case, to the lowest tenderer; and in all cases, as far as they could judge, in the best interests of the people at large.

MR. McCALLUM said that the hon. member for South Waterloo accused his hon. friend from Centre Wellington of wanting in knowledge on this question. The hon. gentleman said that the report of the Committee had been before the House for a few days. He could say, as a member, that he had not seen the report yet, though the members of the committee might have had it before them. The hon. member for South Waterloo and North York, asserted that Nixon was an able officer, and that he had always acted in the interests of the country; of course, this was to be taken for granted. But what were the facts. Of course, they knew that this officer had graduated on a former occasion in the interests of the party in the township of Proton, Ontario; and what were the facts, now. They found from the evidence taken before the Public Accounts Committee that this country had lost \$31,000, by his actions. This was the fact.

Some Hon. MEMBERS: No, no.

MR. McCALLUM: Yes, yes; \$31,000 was the difference between the lowest and the accepted tender as he understood, and this matter could not be cleared up. He heard a good deal said about deposits being forfeited. As a member of the House he had always been

opposed to the Government compelling contractors to make deposits at all, because he thought that this policy on the part of the Government had a tendency to make the rich richer and the poor poorer. Many a man was honest and able and willing to carry out a contract, but not able to make a deposit; and as long as a man gave two solvent securities and the Government kept back 15 per cent of the contract price, this ought to be sufficient, because under these circumstances the Government had the power of discriminating in favour of their friends. No doubt, this was the case. As he understood it, the lowest tenderer was got out of the way; he got an appointment, and there was something in this. It might be all right, but it looked a little smoky at least. As to the facts, the hon. the First Minister told them about these parties who forfeited their deposits. They knew one instance where the deposit was not forfeited in the case of the Georgian Bay Branch. Mr. Foster got back a deposit which was a large one; and therefore there was no object in making a deposit. That was the fact with respect to this beef contract, that there was a difference of  $4\frac{1}{2}$  cents a pound in the prices that one man offered to furnish the beef for a less price than it was now furnished for, and that there was  $4\frac{1}{2}$  c., or at least 50 per cent. difference. Was this fulfilling the duty which Nixon owed to the country? The hon. member for North York and South Waterloo said so; but the hon. the Premier did not say so. This hon. gentleman could not go so far as to approve of Nixon's conduct, but his followers did so; the hon. gentleman could not do it himself, and he gave him credit for not defending the actions of this man. The hon. member for South Waterloo said that Nixon consulted the Government, but he would like to know from the hon. the Minister of Public Works whether this was the case. Nixon bought this warehouse property, and gave a mortgage, and said that money was worth in Winnipeg 18 per cent., and that he was only paying six. If money was worth there 18 per cent., he thought that the hon. the Minister of Finance should transfer some of his funds in that direction.

MR. BOWELL said he should not have occupied the time of the House in this regard but for, to his mind, the most extraordinary course which had been pursued by the hon. member for Waterloo and the member for one of the Elgins in reference to this matter. Anyone who had paid attention to these investigations must have come to this conclusion, that the gravest irregularities had taken place in connection with the office of purveyor to the North-West. How anyone could read this evidence, or how anyone who listened to the manner in which this evidence, could get up calmly and coolly and deliberately and defend the actions of Nixon, was beyond the comprehension of any ordinary mortal. He was not a little surprised also at the statement made by the hon. member for South Waterloo in taking the hon. member for Centre Wellington to task for having referred to this matter, and, in being ignorant of the facts. He should have stated that this evidence had been before the House for a week or ten days. The hon. gentleman's own report was only presented on Saturday last, and this was Monday.

MR. YOUNG: It is in the newspapers.

MR. BOWELL said it was true that the newspapers had published certain portions of the evidence, and equally true that his hon. friend had quoted from a Ministerial newspaper part of the evidence upon which he based his statement, and he was then coolly told that he was totally ignorant of what he was speaking about.

MR. YOUNG: These sheets were published too.

MR. BOWELL said that this showed the newspaper reports were not correct, though contained in Ministerial journals. It was true that the evidence had been printed; but its circulation had been confined exclusively to members of the Committee; and it was a matter that could not be discussed in the House until formally laid before the House. It might be the opinion of the hon. member for South Waterloo, that the hon. member for Wellington went a round-about way

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in order to arrive at the conclusion that his present opponent might possibly be interested in this tri-contract by which the country lost some \$32,000, the difference between the lowest tender and that which was accepted. There was this extraordinary fact, that the gentleman who was about to contest the riding of the hon. member for Centre Wellington, was the brother of the gentleman who got this contract. There might be no connection between these two circumstances. He did not say that there was, for he did not know; but the hon. gentleman had a right to infer that there might possibly be a little collusion, particularly when it was known that this man had some objection to becoming a candidate at all. The ordinary way he thought of doing this business, if there had been anything like common sense exercised by Nixon in connection with these contracts, would have been to have done what, he believed, every man did under such circumstances in his own business; and that was where there were 10 or 12 persons whose tenders were withdrawn or who refused to accept, instead of giving the tender at 44c., when some persons had tendered as low as 25c., to have readvertised for tenders for the supply of these ties; that was the common sense of transacting business of this kind. It was not a matter of urgent necessity that these ties should be immediately delivered, and it did not look like favouring these persons who obtained the contract at a rate which cost the country \$32,000 more than a portion of the ties were tendered for. This was made up of the difference between 25c. and 44c. a tie. In regard to the beef contract, Mr. Nixon, in his evidence, stated that he based his calculation upon the price for the beef given in the letter of Demers, which was sent him at the late period to which the hon. gentleman had referred, and basing his calculations upon this price, he came to the conclusion that McKay's tender at 12½c. a pound would be cheaper than Demers, offer at 8c. a pound; and he left the impression upon the minds of a portion of the Committee who had not read the letter of Demers, that it was for the furnishing of the same class of beef. But

when the letter was read, and after Nixon had been closely questioned on the point, it turned out that this price was for cattle to be put as stock on North-West farms which were to be of a certain kind and of a certain breed. Then Demers immediately afterwards said :—

“I beg respectfully to call your attention to the fact that in most cases cattle shipped for the butcher shops can be sold at a figure below the price obtained for cattle selected for stocking a farm.”

What the hon. member for Niagara complained of, and what the members of the Committee complained of—at least that portion who desired to arrive at the facts and the truth, and who did not desire to cover up what looked at least like a colorable transaction on the part of Nixon—was that he deliberately attempted to mislead the Committee by telling them that he based his calculation upon these figures which were for the supply of a better class of beef for the stocking of farms, instead of that class of beef which, as he himself said, could have been supplied at a much lower rate for the butcher stalls. This was the point of which he (Mr. Bowell) thought that the Committee had a right to complain; and this was the point to which the hon. member for Niagara desired to call the attention of the House, as well as to the mode and manner in which this evidence was given; and it was with a great deal of difficulty that even they could get Nixon to admit this fact. It was only through questioning and cross-questioning for some time that Nixon was made to admit the fact that he had based his calculation upon these figures which were no basis at all upon which to make a correct and proper calculation. He (Mr. Bowell) had intended only to refer to a very few points in order to show the hon. gentlemen who had spoken in defence of Nixon were wrong, and one would really think that these were attorneys defending their clients instead of members of a public and deliberative body, who desired to arrive at a correct conclusion in connection with these matters; and he must take exception now to the position taken by the hon.

the First Minister, because he, as the head of the Government, had paid no attention to this matter, it was improper and indelicate to discuss it. They knew that one or two members of the Cabinet were present watching the case; and that the hon. the Minister of the Interior, under whose special supervision Nixon conducted his business, was also present, and took part in the examination. The hon. gentleman ought, at least, to be able to state to the House what the opinions the Government had formed on this point. The hon. member for South Waterloo told the House that there was not a particle of evidence to show that Nixon had ever favoured Thornton and Sutherland in any way in connection with these contracts. He (Mr. Bowell) must premise by saying that there was a direct conflict of testimony as between Scott & Sutherland's clerk and Nixon himself; and he wanted to point out this fact to the House, that Sutherland himself telegraphed to the Committee, as would be found on the Votes and Proceedings, that Scott could give all the information Sutherland could give; and that it was not convenient for him to attend the Committee. As soon as Scott was summoned by telegraph Sutherland refused to allow him to leave his employment, and told him—this was in evidence—that if he did leave, he need never come back again. Of course, Mr. Scott replied that he was bound to obey the summons of Parliament, and he did leave, and they all knew that Mr. Sutherland had distinctly and positively refused to come down upon a peremptory summons. Mr. Scott had sworn that Mr. Nixon brought certain tenders to the office of Messrs. Thornton & Sutherland; that Strang, Mr. Bannatyne's clerk, asked him if he could not do better. He said “yes,” and they deliberately went over the tenders, and made Mr. Sutherland's tender lower, than the other, and the original tender sent in to Mr. Nixon was destroyed, and a new one made out, under which Mr. Sutherland obtained the contract. Mr. Nixon denied this, but Mr. Scott could have no possible object in coming here to swear to a deliberate falsehood against Mr. Nixon. Mr. Nixon admitted that Mr. Scott was a man of respectable char-

acter. Mr. Nixon, however, had a direct interest in showing that he was not guilty of what he was accused. He quoted from the evidence in reference to the account of Sutherland against Nixon, and the manner in which it was settled. In the Committee Mr. Nixon evidently intended to mislead, because, in answer to the member for East Elgin, he stated he had given Mr. Sutherland a cheque to pay for the cutter, but he had afterwards to admit that the cheque was handed back to Mr. Nixon, and had not been paid since. The whole thing led but to one conclusion, which was that he had been receiving these considerations for favours he had given to Messrs. Thornton & Sutherland in connection with the contracts. Anyone who read the mass of evidence must come to the conclusion that, if there were no direct and intentional wrong on the part of Mr. Nixon in the giving out of these contracts for the Government, there had been the gravest irregularities, by which the Government had lost money. How far the same system had been carried on in the case of Mr. Bannatyne, he could not say. Mr. Nixon had gone to Winnipeg, and had become the guest, as he said, of one of the wholesale dealers supplying the Government. He had lived there five and a-half months for nothing, in a dear country, and they found him balancing his account by nearly \$600 profit and loss, and receiving presents of different kinds from this man. The explanation was that he subsequently tried to get these accounts. But when? When it became public in Winnipeg that this favouritism was being carried on. Then, finding that he was getting into difficulty, he said: "This must be settled;" and to cover up the five and a half months' board, he made a present of \$30 or \$25 to some of the family. If the Government did not take this matter in hand and dismiss a man like Mr. Nixon, whose admissions were recorded in this evidence, they would not do their duty to this House or the country. As to the property which had been alluded to, Mr. Nixon found that a property could be bought for \$1,500. He paid \$500 cash; spent \$400 in repairs; gave a note to Mr. Bannatyne at six

per cent., and leased it to the Government at \$432 per annum, which was to be paid to Mr. Bannatyne until the balance of the purchase money had been wiped out. The member for Frontenac (Mr. Kirkpatrick) asked why he went to Mr. Strang, and Mr. Nixon replied that "he did not want to be known in that matter himself." He admitted that the Government knew he had another property, and no doubt he represented that the Government stores would be better kept there than in the old place. But he studiously kept from the Government the fact that he was the owner; that the rent was to pay the purchase money, and that the money would go into his pocket while he was a servant of the Government. If the Government wanted a property, why did they not buy it, or enter into a contract with Mr. Bannatyne, and in three or four years the rent they were paying Mr. Nixon, through Mr. Bannatyne's clerk, would have paid for the property? In five years Mr. Nixon would have the whole of the principal, interest, insurance and repairs paid back to him, and he would have a reliable property in Winnipeg, at the expense of the Government; and yet the member for South Waterloo saw nothing wrong in the transaction, and considered Mr. Nixon's whole conduct irreproachable.

MR. YOUNG: I said he ought to keep as far away as possible from a transaction of that kind, but there was nothing to show that the Government had lost anything by the action of Mr. Nixon.

MR. BOWELL said some hon. gentlemen on that side of the House had attempted to defend Mr. Nixon.

MR. GIBBS (South Ontario): North York.

MR. BOWELL: He is an exception to others.

MR. DYMOND said he had stated that Mr. Nixon had been guilty of indiscretion, but nothing criminal or actually wrong. He deprecated the action in connection with the lease, but he thought the Government had saved money by the transaction.

MR. BOWELL said there was nothing to show that the Government

MR. BOWELL.



could not have got the same bargain with Mr. Bannantyne as Mr. Nixon had made. Mr. Scott had stated that the evidence in the bill books and letter books had been torn out and destroyed, and that Mr. Sutherland had refused to come here and testify. That was very good evidence that Mr. Scott was telling the truth. Mr. Sutherland had also refused to allow him to look at the ledger, to enable him to give more minute testimony to the Committee, and he had therefore been obliged, to a large extent, to speak from his recollection. He thought the whole matter was enough to lead the Government to remodel their Purveyor's office in the city of Winnipeg.

MR. TUPPER said he thought the Premier was entirely mistaken as to the practice in this House, when he complained, on a former occasion, that the Government had been taken by surprise, and that the Opposition were not exhibiting the usual courtesy in bringing up a question of this kind without notice. It had been the almost uniform practice on going into Committee of Supply to bring up any matter of grievance or any question on which any hon. member desired to have an expression of opinion from the House without notice. The hon. gentleman had followed that course himself on similar occasions, and he would see by referring to the journals of 1873, page 252, that he had moved a motion of that kind. He (Mr. Tupper) desired to take the opportunity of this motion to go into Supply, to explain the reason why he had not availed himself of any opportunity of moving a motion of which he had given notice, in reference to the sugar duties, inasmuch as the object of that motion had been entirely misapprehended out of the House, if not in it. That question had been discussed very fully on the first motion to go into Supply, and he thought hon. gentlemen opposite would admit that he had endeavoured, as far as possible, to pursue such a course in relation to these questions as not to necessarily involve going over the same subject which had already been considered. The motion of which he had given notice was one which would

not be considered as one of want of confidence in the Government.

MR. MACKENZIE: It was a motion of confidence.

MR. TUPPER said it was rather a motion of confidence, and so far from moving it hostile to the Government, he had considered that the peculiar circumstances of the case were such as justified him in giving information to the Government on the subject. The notice which he had given had relation to the motion made in Congress by the Hon. Fernando Wood. He believed hon. gentlemen opposite would agree with him that it was not desirable to decrease any protection now afforded Canadian industries, and he had considered that the proposal contained in Mr. Wood's amendment to the tariff was one which would be fatal to many of the struggling industries now carried on in this country. The present law in the United States provided that where articles were wholly manufactured from materials that had paid duties, a drawback should be allowed on their being exported to a foreign country, subject to a reduction of 15 per cent. by the Government. Mr. Wood's proposal altered that in a very material way. He proposed to extend the provision to the class of goods which were, in part, manufactured from material which had paid duty. This would embrace almost everything, and would reach almost all the industries existing in this country at this moment; and he also proposed to abandon the amount of duty which, under the present law, the Government retained. It was in view of that he had put the notice on the paper, in order that hon. gentlemen opposite might have their attention drawn to it, and might, if they thought proper, take some step to prevent such a serious increased advantage being given to competitors with Canadian industries. The subsequent proceedings in Congress had led him to doubt very much whether that was likely to take place. He believed the notice on the paper was an indication of the views held on the subject. He trusted the hon. the Finance Minister would consider closely the legislation taking place in that connection, and, if our industries

were to be placed at a greater disadvantage than at present, he would draw the attention of Parliament to it before the close of the Session.

Mr. CARTWRIGHT said that his hon. friend knew that the proposition was to bring that tariff, if brought at all into operation, into effect on the 1st January, 1879.

Mr. TUPPER said, notwithstanding that, there was this advantage in dealing with the question. It would show that there was not the advantage to be gained by the alteration of the law in the United States that might be assumed, if it were not, for instance, met by some corresponding action here. If the change in tariff were likely to become law, it would seriously affect the credit of people in this country who were engaged in the interests which would be affected by it. He took this opportunity of briefly stating the object he had in view in putting the notice on the paper, expressing his intention not to press the motion unless there was a change in the existing state of things.

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

### After Recess.

#### SUPPLY.

#### XII.—PUBLIC WORKS AND BUILDINGS CHARGEABLE TO INCOME.

House again *resolved* itself into Committee of Supply.

(In the Committee)

#### Harbours and Breakwaters—Quebec.

105. Lower St. Lawrence, repairing various Breakwaters..... \$20,000

In reply to Mr. LANGEVIN,

Mr. MACKENZIE said he could not tell what was done with the whole vote of last year. There was about \$20,000 spent altogether on several piers on the South side of the St. Lawrence. This year, according to Mr. Kingford's estimates, there would be required about \$5,000 for L'Islet pier, \$3,000 for the pier at Rivière Ouelle,

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\$3,200 for planking the pier at Rivière du Loup, and for stone-filling said pier \$1,800; total, \$5,000 for Rivière du Loup. Repairs and changes to be effected at Chicoutimi would require \$4,000 to \$5,000. As far as he understood, some work which had been done at Chicoutimi pier had had the effect of making the current too strong, and which error had to be remedied. There was a balance of \$2,800 put down for general repairs. In addition to all this, he had received information which led him to believe that a sum of \$4,000 was due to a steamship company for which he proposed to take a vote in the Supplementary Estimates, in which he also proposed to put a sum to commence work at Matane harbour, which was likely to prove somewhat expensive before it could be made a real harbour of refuge. If the papers connected with this harbour were not down he would have them brought down.

Mr. LANGEVIN said he was sorry the Minister of Public Works could not give him the details of the expenditure of these \$22,000 last year. The major portion of it, \$20,000, was expended on that same pier at L'Islet, and it was then understood that amount would cover the whole cost of the improvement. He was surprised that \$5,000 more were asked for this pier.

Mr. MACKENZIE said that \$22,000 were required to complete the work. In page 53 of the appendix, its length was stated to be 1,200 ft., and that the work would have to be continued two seasons before it could be completed. The pier had sunk, and a portion of it was rotten, and it had also to be replanked. There was a general complaint that the piers in the St. Lawrence were all too low. This was particularly the case at Rivière du Loup, where the pier had sunk to such an extent that, at high tide, the water actually covered it, and it was questionable whether a pier or two piers of timber would not have to be put on it besides planking. The pier at Rimouski would also require to be thoroughly repaired and extended.

MR. LANGEVIN said the hon. the Minister of Public Works was perfectly right in stating that these piers were generally too narrow and too low. He knew that a schooner had, in a storm, passed clear over the pier at L'Islet which was very narrow and low. Of course if the money was required for those piers it should be voted. With respect to Chicoutimi pier, it was since the 1st June, 1874, that the work had been done which was complained of. There were openings in the wharf to allow the water to pass through. These were closed in 1874-5, and since then the current, whose strength had been broken by passing through those openings, became so strong that vessels could not moor there.

Vote agreed to.

*New Brunswick.*

103	{	St. John Harbour.....	\$16,000
		Black River, St. John Co....	4,500
		Grand Anse, Gloucester Co..	2,000
		Shippegan Breakwater, Gloucester Co.....	6,000
			\$23,500

MR. MACKENZIE said the \$16,000 was to pay the balance on the contract for the breakwater outside the harbour of St. John, which was now complete and was exceedingly fine work. \$2,000 of this amount were required to give some additional strength to the extreme end of the pier. The work would then be a work for all time, and the most efficient protection that could be conceived to St. John harbour. The entire estimated cost was \$240,000, but the additional work and the services of superintendents raised the amount to probably \$248,000. The \$4,500 was for a breakwater at the mouth of the Black River. It was an entirely new vote. The \$2,000 at Grand Anse was to finish a small work there, intended for fishermen, towards which the locality had contributed \$2,000 last year. The \$6,000 for the Shippegan breakwater was to complete the work which the former contractor had failed to proceed with.

MR. MITCHELL said that Point Escuminac formed the south-eastern point at the entrance of the River Miramichi, and afforded little shelter

to the south-eastward. If the wind veered, it was impossible to escape danger. Very frequently there were terrific storms here; and he had seen as many as from 400 to 500 vessels under the lee of this point at one time; and if the wind veered a few points to the north or eastward, it was almost impossible to obtain shelter. He had called attention to this matter previously; this work was expressly required, and it would be to the advantage rather of persons belonging to Kent than his own county. He would like to know whether the Government would give this matter serious consideration; whether it would be included in the Supplementary Estimates, and whether a survey of the locality would be ordered. He had no hesitation in saying that Mr. Speaker would agree that the erection of such a breakwater would be very desirable in the interest of the fishermen there. This locality was on the borders of Kent and mostly in Kent county. He had written to the Government about it, and enclosed a petition from the fishermen.

MR. MACKENZIE said that Mr. Perley had verbally reported to him that this place was so near the Miramichi River, a first-class harbour, that there did not seem to be any eminent necessity for such a work at the time. The very fact that the hon. gentleman, though in office for seven or eight years, had not built this breakwater, showed that he did not think that it was of the first importance at all events. He supposed that it was rather desirable for fishing boats rather than for anything else.

MR. MITCHELL: Yes.

MR. MACKENZIE said he had requested Mr. Perley to give further information on this point during this Session.

MR. MITCHELL said he was sure that Mr. Perley had never been on the spot, and knew nothing at all about the matter. He admitted that while in office he had neglected this work; but, nevertheless, it was one of the first importance. He had had to create the Minister of Marine and Fisheries Department; and he had sought to regard the interests of the whole Dominion impartially.

MR. SPEAKER said he thought that this work was very much required. He was familiar with the locality; such shelter for the fishermen was unquestionably needed.

MR. MITCHELL said that it was not uncommon to see from 800 to 1,000 fishing boats off on the neighbouring banks; and for one fisherman interested in this matter from his own county, there were twenty from the county of Mr. Speaker.

Vote agreed to.

*Nova Scotia.*

	{ Annapolis River, Annapolis Co.....	1,500 00
	{ Morden, Kings Co.....	1,000 00
	{ Ragged Pond.....	2,000 00
	{ Cow Bay, Cape Breton....	1,000 00
	{ Bayfield.....	5,000 00
	{ Scott's Bay.....	3,000 00
107	{ Canada Creek.....	3,000 00
	{ Pudding Pan.....	6,000 00
	{ West Arichat.....	6,000 00
	{ Somerville.....	5,000 00
	{ Hampton.....	3,000 00
	{ Dulap's Cove.....	2,000 00
	{ General Repairs, Maritime Provinces.....	15,000 00
		53,500 00

MR. TUPPER said he would like to ask the hon. the Minister of Public Works if the Government had arrived at any conclusion with reference to a work of considerable importance in Nova Scotia, which had been under the consideration of the late Government, and which had been brought to the notice of this Government from time to time. He referred to the closing of the Port Hood harbour, Cape Breton.

MR. MACKENZIE said he was fully aware of the importance of the work in question. At present there was great danger of this harbour being still more seriously injured owing to the action of the sea. Mr. Pailey's lowest estimate for a substantial work, however, \$360,000, and owing to the state of the finances, this amount could not at present be spared. If \$10,000 or \$12,600 would be of any utility, however, this might be voted. This work was rather required for general than for local convenience.

MR. MACDONNELL said that this improvement was urgently needed

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in the interests of the shipping, Provincial and American, that frequented the Gulf of St. Lawrence. This was a most important harbour. About forty years ago the beach which connected Justan Crops Island with the mainland was carried away, and since then the sea had been washing large quantities of sand annually into the harbour. He had seen over 300 vessels in this harbour at one time during a storm. The only harbour of refuge on the North-West side of Cape Breton, on the Gulf of St. Lawrence, and Bay St. George, which formed an almost direct coast line was that of Port Hood, and for ships blown by storms from any of the ports to the west of it, and other ports on Prince Edward Island, and along the northern shores of Nova Scotia and New Brunswick. Many vessels were annually wrecked along this coast. Only last Fall, in one day, 103 vessels had taken refuge in this harbour, and on the following morning 13 others were stranded on the shore. Not a single one of them belonged to the county of Inverness. In 1847, the charts showed here 27 or 28 feet of water, where, in 1873, only 7 or 8 feet were shown. This showed how rapidly this harbour was becoming useless; and, in a few years more, it would be entirely useless. This work should be immediately undertaken. The sum mentioned was not much when they considered the importance of this harbour. The fact that the expenditure was required for the general good, and that, if utterly destroyed, this whole coast line of 110 miles would be forever without a harbour, unless an artificial harbour was constructed. He claimed that that portion of the Dominion had a fair claim to a large expenditure. The members for the Maritime Provinces had voted that the Baie Verte Canal, which would cost about \$10,000,000, was not essential to the public interest, and that work had been condemned and indefinitely postponed. On that occasion the member for South Bruce (Mr. Blake) threw out a hint that in justice to the Maritime Provinces, other works of a kindred character ought to receive the consideration of the Government. He had expected that immediate attention

would be paid to the improvement of this harbour, but up to this moment he had been disappointed. He did not believe in a policy which omitted to proceed with the public works of the Dominion, because there was a deficit in the revenue. He cordially sympathized with the opinion of the right hon. member for Kingston, that when there was distress in the country the Government should proceed with public works for the twofold reason, that relief would be afforded to the distressed labourers, and at the same time labour was cheap. He hoped the Government would turn attention to this work at once. It was one that could not be constructed piecemeal; but he thought a small grant of \$20,000 or so, would be sufficient this season in order that the work would be initiated before another year elapsed. Although the contract might not be entered into till late in the season, it was desirable to procure such material as was necessary.

MR. MACKENZIE said the Government would have no hesitation at all about a grant such as the hon. gentleman had named; but he feared it would be utterly impossible to do anything with so small a sum. What he proposed was to have the plans, which were almost complete, and advertise to get tenders and see the minimum sum for which it could be built, then they would know exactly where they stood at the next Session of Parliament. He feared that a grant of \$10,000 or \$20,000 would be practically useless because it would be impossible to expend that amount with advantage unless that work were continued. Any attempt to build this by sections would be a failure. It would require to be carried on extensively at once, in order to avoid the damage from a winter in an exposed position of that kind. However, he would consult the Engineers of the Department before the Supplementary Estimates were brought down.

MR. MACDONNELL said that before undertaking the work of construction it would be necessary to obtain a great deal of plank and material, and any amount, however small, would be profitable and well expended in that respect.

SIR JOHN A. MACDONALD said that, unless it was resolved to go on with this work, the expenditure of a small amount of money would be unwise. He understood that Mr. Perley's estimate was \$200,000, and the House should consider the matter very seriously before spending such a large amount of money, unless the matter was of great national importance. He objected to the idea propounded by the First Minister, that tenders should be asked for before Parliament had sanctioned the construction of the work; that people should be put to the expense of obtaining data on which to base tenders, and should run the risk of forfeiting \$1,000 before the Government had made up their minds to go on with it.

MR. MITCHELL said the work was of great importance; he had seen over 100 vessels in that harbour.

In answer to Mr. McDONALD (Cape Breton),

MR. MACKENZIE said that, last year, \$7,363 had been expended on Cow Bay breakwater, but they did not expect that more than \$1,000 would be required to keep up the ordinary repairs this year. This work yielded a considerable revenue—last year over \$4,000. Mr. Archibald and others had spent some money on it the year before without any authority. The Government had not thought it right to pay that, because it was spent without their authority, and on works which they had not intended to touch.

MR. McDONALD (Cape Breton) said that at Main-à-Dieu, C.B., the inhabitants had been asking for a breakwater for some years. Frequently fishing vessels from different parts took refuge there. The late Government had a survey made of this harbour, and he thought the engineer recommended that a breakwater should be built at a cost of \$35,000. He was sorry the Government could not see their way clear to build it. At Cow Bay a general complaint prevailed as to the way in which the money was expended there last year. The man who had charge of the work only employed people of a certain political stripe, and bought timber from parties

of the same class. He hoped this year the hon. the Minister of Public Works would prevent the man in charge from using the public money in that way.

MR. MACKAY (Cape Breton) said he believed it was true that the expenditure on the breakwater by the Messrs Archibald was unauthorised by the Government, but the Government properly got the benefit of their expenditure, and he thought the Government were in honour bound to reimburse them, because, if that expenditure had not been made, there would be very little of the breakwater existing at the present day. He agreed with his colleague from Cape Breton, as to the necessities of the harbour of Main-a-Dieu. It was a large fishing port which was often used as a harbour of refuge, but, without a breakwater, it was of very little assistance to the people who went there when certain winds prevailed. It was news to him that any complaint existed as to the expenditure of money at Cow Bay.

MR. BUNSTER expressed his regret that not a dollar was to be expended this year in British Columbia, notwithstanding the liberal assistance that was expected towards the construction of a dry dock. The harbours of British Columbia required more attention and the Minister of Marine should remember the ports. He certainly had a right to feel aggrieved at not having these amounts expended.

SIR JOHN A. MACDONALD said there were twelve votes here for the first time for ports in Nova Scotia and not the slightest explanation given.

MR. MACKENZIE said the first item was for the removal of some boulders in the river near the landing. The \$1,000 for Mordon pier was to complete repairs begun last year, with a part of the \$10,000 for general vote. Ragged Pond was a harbour on the Atlantic coast, in Guysboro; the amount was for the purpose of deepening the channel. The amount at Cow Bay was simply for repairs.

MR. McDONALD (Cape Breton) said he had asked for papers connected with the expenditure of Cow Bay Breakwater, about a month ago, and had not yet received them. The state-

ment he made was simply the complaints in that district. He might also tell the hon. the Premier that the gentlemen who had charge of the expenditure of that money last year was now canvassing the district telling the people he had to spend the amount of \$7,000 or more; and that the money would give employment to young men in that district during the summer season. He was quite satisfied that this reason should go down to his constituents in Cow Bay, who would be able to judge of its correctness. With respect to the money spent by the people on that breakwater, he trusted the Government would take that matter into consideration, and if they were entitled to any money, it would be only right the Government should pay them. With regard to the breakwater at Manitou the hon. Premier had stated in reply to his (Mr. McDonald's) colleague that he intended doing something for this harbour; that he was consulting the engineer to see whether it was necessary to make a survey of the harbor. The question and the answer would not lead anyone to suppose that any survey had previously been made. The answer led him to suppose that the Government would consider the matter and make enquiries of the engineer this year, and if the engineer recommended the breakwater, something would be done.

MR. MACKENZIE said that was not what he said. He said the Engineer did not consider the expenditure which the works at Manito would require to be justified by the surveys which would be rendered, and the hon. member for Cape Breton (Mr. MacKay) seemed to say that a much less sum would do effective work there, more than what was expected. His (Mr. Mackenzie's) reply was that he had no objections whatever to enquire of Mr. Perley whether a smaller sum would not be sufficient. Mr. Perley's estimates were for \$25,000 or \$30,000 for the contemplated work to be of any use. As there were other harbours at a great distance on either side, the Department did not think so large a sum should be expended there. If any service could be done by the expenditure of a smaller sum there would

not be so much objection. With respect to Cow Bay he was not responsible for what the agent there said. If the agent had said anything improper he (Mr. Mackenzie) would attend to it, but the Government should not be charged with the responsibility of such rubbish as that.

MR. McDONALD (Cape Breton) said he did not imagine the Premier had enabled that agent to circulate such statements in that district, but he might have received his information from other quarters.

MR. MACKENZIE said it was quite impossible that the agent could have had information officially. He did not communicate with any person about the expenditure of money anywhere throughout the whole country good, bad or indifferent. He knew nothing about him. He left the engagement of such to the Superintendent, Mr. Perley, and if he had employed any improper person, or if any improper allegations had been made by him, he (Mr. Mackenzie) would deal with them in a proper manner.

MR. MacKAY said the last remark of the hon. member for Cape Breton would almost appear to insinuate that if this gentleman had not the authority of the Government to say there was to be certain expenditure on Cow Bay breakwater during the coming year, that he (Mr. MacKay) must have given him some hint to that effect. That insinuation had not the slightest foundation.

MR. McDONALD said he was glad to hear the statement of the hon. member, but he hoped, so far as the works were concerned, they would go on, and that the statements alleged to be made to this man, would not turn out correct before the elections came off.

SIR JOHN A. MACDONALD said there were twelve new votes for ports in Nova Scotia, not for works or continuation, but new, distinct votes. It looked very like a political barometer. These twelve votes were divided among seven counties; of these seven counties, six had the advantage of having Ministerial supporters in this House; the seventh was represented by a Minister-

ialist, and a gentleman in Opposition; therefore it had the smallest vote, viz.: the \$1,000 for Cow Bay. He could not congratulate his hon. friend from Queen's. He must be expected to be very hard run in his county, because he has got \$11,000 out of the \$38,000 for two different ports in his county, in order to secure his election. That was a pretty good allowance. \$11,000 would not go very far in an election. The next was his hon. friend from Kings (Mr. Borden) who must also be hard run since he gets \$7,000; he gets three votes for three distinct ports in his county, in order to save him.

SIR ALBERT J. SMITH: He must be very popular if that will get him in.

SIR JOHN A. MACDONALD: Did it cost his hon. friend more than that? He appeared to understand the subject. The next was the hon. member for Richmond. He had only one port, but that was a considerable one. He got \$6,000. The hon. member for Antigonish had only one port, and he got \$5,000. The hon. member for Guysborough was pretty safe; he only wanted \$2,000. The last vote was \$1,000, which was divided between the two members for Cape Breton. He (Sir John A. Macdonald) really believed the Ministerial member for Cape Breton would have had a bigger vote, only the Premier thought it would also have helped the enemy. So he thought he would be economical as far as Cow Bay was concerned. It was rather odd that, just before an election, that a vote of \$38,500, not for the continuation of works going on or voted last year, but for new works altogether, should be given just at the right time.

MR. TUPPER said it was not often he was obliged to differ with his right hon. friend. He was satisfied that, if his hon. friend who led the Opposition were as well acquainted as the hon. members for Nova Scotia, with the character of the country, and the necessity that existed for adequate provision along the coasts and shores for the protection of shipping and the facilities for trading, he would understand that no money placed in there estimates was calculated to be of greater service

to the whole country than these sums which he had criticised.

**MR. MACKENZIE:** The hon. member for Kingston forgets. He says it takes \$11,000 to secure the election of the friends around me; but it takes \$30,000 to secure the election of the hon. member for Kingston, and, perhaps, that will not do it.

**SIR JOHN A. MACDONALD:** The hon. member tried very hard to elect me by that kind of expenditure in 1874.

**MR. MACKENZIE:** I see that there is \$30,000 for that interesting place.

**MR. MITCHELL:** Will a survey for Point Escuminac break-water be ordered?

**MR. MACKENZIE:** Yes.

**MR. MITCHELL** said that boulders which were in the way of steamers should be removed from the entrance of Miramichi River. A portion of the bar had been removed three years ago, and this had been of great service, but much remained to be done.

**MR. MACKENZIE** said he was not able to say whether they could now do anything in this direction. It seemed absolutely necessary to remove obstructions in Assiniboine and Red Rivers, in order to enable them to be used at all; and he could not at present tell how much this would take. He understood that the improvement of this river, which was mostly needed and really necessitous, was done.

**MR. MITCHELL** said that this was probably Mr. Perley's opinion, which was most unreliable. Boulders lay in the bed of the river, and they ought to be taken out. His constituents thought that their interests did not get fair play under this Administration.

**MR. McCALLUM:** Are these all new votes?

**MR. CARTWRIGHT:** Yes.

**MR. McCALLUM:** I understood that, owing to the bad state of the finances, no new works were to be attempted. To vote \$38,000 may be fun for the House, but it is not fun for the country.

**MR. MACKENZIE:** Four or five of them are not new works.

**MR. TUPPER.**

**MR. CARTWRIGHT:** In the Estimates of 1872, under similar circumstances, the main or original estimate for this purpose amounted to \$1,193,000.

**MR. MITCHELL:** We were flourishing then.

**MR. CARTWRIGHT:** As against \$963,000, which we are asking for now.

**MR. MITCHELL:** But there were no deficits then.

**MR. CARTWRIGHT:** I do not know that any great complaint can be made when the item for public works is placed at under a million. I never held out the hope that we could get along with less than a million for public works, particularly when you bear in mind that nearly one-half of this goes for what may be called regular annual expenditure for rent, repairs and necessary dredging, and wharves and matters of that kind.

**MR. MITCHELL** said that we had had three successive deficits under this Government, while under the late Government they had three surpluses. They had had a surplus of \$1,700,000 when the estimate the hon. gentleman mentioned was made. He did not have the same implicit confidence in Mr. Perley that the hon. the First Minister had. He found that, according to the public accounts, this official controlled the expenditure of \$108,031 in various harbours in Antigonish, Shippegan and others. He did not think that this was proper. It was most extraordinary.

**MR. MACKENZIE** said that a mistake was evidently made in the entry. He would see about it. Mr. Perley had no authority in any case except with regard to small sums. The only case in question was Ingonish harbour.

**MR. SPEAKER** said that nothing was paid in Shippegan harbour, except through Mr. Perley, to the contractors.

*Vote agreed to.*

*Prince Edward Island.*

108 {	Colville Bay, Souris.....	\$20,000 00
	Malpeque Breakwater.....	3,500 00
	New London.....	1,500 00
		<hr/> \$25,000 00



MR. MACKENZIE said that the \$20,000 was for repairing the new pier which was partially destroyed in Souris harbour in a storm late last autumn. The \$3,500 was for finishing the contract for Malpeque harbour breakwater. The estimate taken last year was insufficient. No contractor could be found to take it at the estimate. The item for New London was simply for repairs to existing works. He had been accused by the hon. member for Queen's (Mr. Pope), now absent, of having neglected to put stone around the foot of the pier; but this was not the case; the foundation was as good as ever. If any fault was to be found with the structure it was because it was not sufficiently strong to resist the sea, which had rolled in at this point, and which had not been contemplated.

MR. WHITE (North Renfrew) asked why the item for slides and booms was again dropped out.

MR. MACKENZIE said that the Department did not contemplate any necessity for this item this year; in case repairs were required they would be made out of the item for miscellaneous works not otherwise provided for, \$10,000.

MR. WHITE (North Renfrew) said that he was sorry to hear that the Government did not intend to carry out the prayer of the petitioners which had been presented to the Department of Public Works, for the construction of a dam at Des Joachims, and which was considered by the hon. the leader of the Government at one time to be a work of some importance. He (Mr. White) observed that a sum of \$5,000 was inserted in the Supplementary Estimates of 1875-6 for this particular work, and as it was of as much consequence to the trade now as in 1875, he hoped that the Government would give it their favourable consideration. Petitions had also been presented praying for the improvement of the works at Rocher Capitaine Rapids. At this point lives were lost annually in consequence of the works. And he (Mr. White) believed that these facts justified him in urging the Government to put those works in an efficient state.

*Vote agreed to.*

*Dredging.*

109. { Dredge Vessels.....	\$ 10,000
{ Dredging .....	100,000
	—————\$110,00

MR. SINCLAIR said that provision was made for dredging Victoria harbour, and a breakwater, which would not cost much, should be erected there. He believed that Mr. Perley's estimate for this purpose was \$5,000, at the outside; and he thought it would cost less. He hoped provision would be made for a breakwater in the Supplementary Estimates.

*Vote agreed to.*

*Miscellaneous.*

110. Miscellaneous Works not otherwise provided for.....	\$10,000
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MR. TUPPER said that Wallace Harbour, Cumberland county, required dredging. He had applied for it four years ago, but he supposed that the interests of hon. members who had stronger claims on the Government had been preferred. He had been trying to obtain this improvement now for nearly five years.

MR. MACKENZIE said that one source of difficulty connected with the Maritime Provinces, in this relation, was the want of another small dredge, and he proposed, during the present season, to buy or rent one. The two large dredges the Government owned, could not be used in nineteen-twentieths of the harbours of the Lower Provinces. There was much more for the large dredges to do than to finish the dredging of St. John Harbour, and the mouth of Miramichi River, and they could do very well with the largest of these dredges alone for the future. He neglected no public work on account of the representation of any constituency. He presumed that Wallace Harbour would be the better for dredging, though not represented by the engineers to be an important place; and he would see what could possibly be done in this regard.

MR. MacKAY (Cape Breton) said that Lingan harbour in his county badly needed dredging. A small dredge owned by the General Mining Association was used there; but it was not equal to the requirements of the place.

MR. MITCHELL said that the remainder of the bar should be removed from Miramichi River. This was a very important work. The most part had been taken away but a great deal remained to be done. 160,000 million feet of lumber were sent from this port yearly; and it was frequently by a great deal of shipping. Its exports were immense.

MR. THOMPSON (Cariboo) said there was a dredge lying idle in the harbour of Victoria, which was rotting for the want of work, though dredging was required, and an expense of \$566 was incurred to keep a man there in charge of that dredge, which he believed had cost the Colony of British Columbia \$100,000.

MR. MACKENZIE said the vessel would be put in repair and some work would be done this year, but the filling up of that harbour was to a large extent the fault of the people who put the refuse of the town into it. The Government proposed to remove some rocks in the harbour of Victoria this year.

MR. McDONALD (Cape Breton), said there was a place in his county, the harbour of Lingan, for which the Premier had promised to do something some time ago.

MR. MACKENZIE said he had not promised. The harbour required to be dredged for about half a mile, he believed. This was an attempt to make deep water where nature never intended to have deep water. They could hardly work a whole season on a place like that, while other places required the services of the dredge. That was in fact a Canal. He did not see how it was possible to dredge out the entrance to Lingan, to the extent asked by the hon. gentleman last year. The large dredges could not go there because they required deep water, and it was impossible to let the small dredge go there.

MR. McDONALD said he had asked for this in 1875. The Premier then said, in answer to himself "that this would be attended to as soon as possible," and his (Mr. McDonald's), colleague had received an official answer already to this question. This was in 1875.

MR. MACKAY.

The Premier had not fulfilled his promise; this and other papers he had asked for in relation to this harbour, did not show the "official answer" referred to. He called upon his colleague to compel the fulfillment of the promise made him in the official answer referred to, and he would again ask the Premier to bring down with the other papers the "official answer" which he said was given by his Department. He had interpreted this to mean that, as soon as possible, he would send a dredge to deepen that harbour. He had asked for the correspondence but had not found what he wanted in that correspondence. And it rested between the hon. Premier and his colleague to reconsider this matter. Particularly the "official answer." This answer must be in the Department if it was ever given.

MR. MACKENZIE said that at that time it was supposed the larger dredges could work there, but they found afterwards that they could not.

MR. MACKAY (Cape Breton) expressed a hope that the Premier would not overlook the harbour of Lingan. It was a very important point.

In answer to Mr. McDONALD (Cape Breton),

MR. MACKENZIE said he had not at present any dredge in view to purchase; but Mr. Perley was in communication with Mr. John Ross with a view of renting his dredge.

In answer to Mr. McCALLUM.

MR. MACKENZIE said there was only one Government dredge on the island waters—a spoon dredge.

In answer to Mr. LANGEVIN.

MR. MACKENZIE said he could hardly tell where the dredging would be done.

SIR JOHN A. MACDONALD said it was hardly satisfactory to vote this large amount without having the harbours specified.

MR. MACKENZIE said it was quite impossible to specify it.

Vote agreed to.

*Miscellaneous:*

110. Miscellaneous works, not otherwise provided for ..... \$10,000  
 111. Surveys and inspection ..... 44,000

Mr. LANGEVIN called attention to the North Shore of the St. Lawrence, for which no provision seemed to have been made.

*Vote agreed to.*

112. Arbitration and Awards..... \$15,000

SIR JOHN A. MACDONALD : What was expended last year ?

Mr. CARTWRIGHT : \$6,234.

Mr. BUNSTER : Does this include expenditure for defining the boundary of Stickeen River ?

Mr. MACKENZIE : The boundary is defined as far as we can do it. The Washington Government have agreed with us to accept an arrangement for the boundary at the present time.

*Vote agreed to.*

## XIV. LIGHTHOUSE AND COAST SERVICE

129. For completion and construction of Lighthouses and Fog Alarms. \$60,000

Mr. THOMPSON (Cariboo) said that, while \$59,350, with \$650 for incidental expenses, were proposed for the other Provinces, British Columbia's interests were not considered. A fog whistle was urgently required on Race Rocks on the Straits of Fuca. A captain of a steamer running between Victoria and San Francisco had told him that he had run from the heads at San Francisco to the entrance of the Straits of Fuca, a distance of about 700 miles, without seeing land or being able to take an observation, owing to the thick fogs which were prevalent along the coast during about two or three months in the summer. After passing Cape Flattery, where there was a fog whistle, the vessel was obliged to go 60 miles further through the straits, and turn round this dangerous reef, Race Rocks, in the fog. He did it safely and entered the harbour, but was in great danger. This officer had informed him that the placing of a fog whistle on these rocks was a matter of paramount importance to all vessels that entered the Straits of Fuca.

Mr. MACKENZIE : Are the fogs very frequent there ?

Mr. THOMPSON : Yes ; during the summer.

SIR ALBERT J. SMITH : I was certainly misinformed if that is the case. I was informed that there was very little fog in those waters. I do not think that we will be able to provide for a fog alarm there this year ; I suppose that there are more than 100 applications for fog whistles and light-houses in various parts in the Dominion in the Department, and we have selected those that we considered most the important. Perhaps next Session, if I get back, and I have no doubt I will—

Mr. MITCHELL : Doubtful.

SIR ALBERT J. SMITH : Something will be done.

Mr. MITCHELL : Are the fog-whistles provided for steam or automatic ; and if the latter, of whose patent are they ?

SIR ALBERT J. SMITH : We have not determined yet. I think that only one among the number will be a steam whistle.

Mr. MITCHELL : How do the automatic whistles work ?

SIR ALBERT J. SMITH : Very well, and they are much cheaper than steam. We are adopting them.

*Vote agreed to.*

## XIII OCEAN AND RIVER SERVICE.

*Mail Subsidies.*

- 114 Steam Communications between Halifax and St. John, via. Yarmouth..... \$10,000  
 115 Steam Communication on Lake Huron and Superior..... 12,500

Mr. KIRPATRICK : Has the Collingwood line a chance.

Mr. CARTWRIGHT : I think that the service is tendered for.

SIR JOHN MACDONALD : You ought to know, surely.

Mr. CARTWRIGHT : There were two lines in former times, one for Collingwood and the other for Sarnia.

SIR JOHN A. MACDONALD: I do not know why the Collingwood line was broken up, and the Sarnia line taken instead. This policy occasions great inconvenience to a large portion of Her Majesty's subjects.

MR. CARTWRIGHT: We have reduced the vote very much.

SIR JOHN A. MACDONALD: Here is a question of mail subsidies up, and the Postmaster-General is away electioneering, instead of attending to his business. Is that right? He is electioneering in the county of Shefford; and here is the Minister of Finance absolutely unable to answer the questions about votes, amounting, in all, to \$217,200. Nobody is here to answer, and this is the way in which this country is governed.

MR. KIRKPATRICK: Is this service open to competition every year?

MR. MACKENZIE: There were tenders taken.

MR. KIRKPATRICK: Every year?

MR. MACKENZIE: Yes.

MR. KIRKPATRICK: Will it be so open this year?

MR. MACKENZIE: Certainly. I am not sure whether tenders were taken last year or not; but I know that they were obtained, and this line was the lowest. Afterwards a service was arranged from Collingwood, so much being paid per trip; and this amounts to the same thing.

MR. KIRKPATRICK: Is that continued now?

MR. MACKENZIE: Yes.

SIR JOHN A. MACDONALD: No subsidy is paid for carrying the mails from Collingwood?

MR. MACKENZIE: I think that three tenders were received—from the Collingwood, Sarnia, and Windsor lines. The Windsor and Sarnia lines have since amalgamated, and formed, I think, the Northern Transportation Company. The Collingwood line was partly broken up by the withdrawal of one of the vessels; and afterwards arrangements were made for two mails a week.

MR. CARTWRIGHT.

SIR JOHN A. MACDONALD: Is the arrangement with the Sarnia line annual or for a number of years?

MR. MACKENZIE: I think that it is annual.

MR. CARTWRIGHT: It must be, or the terms would be laid on the table. I think that it is annual.

Vote agreed to.

116. Steam Service between San Francisco and Victoria, British Columbia..... \$54,000

MR. BUNSTER said that the Steamship service for British Columbia was most wretched. His Excellency the Governor General made his passage by sea to British Columbia on H. M. man-of-war, the "Amethyst," which, with one of these steamers left Victoria at the same time. One made the run in six and the other in three days.

SIR JOHN A. MACDONALD: Which beat?

MR. BUNSTER: I was just coming to that point. Her Majesty's ship, as is always the case, beat. The Government should buy a ship for this \$54,000 or \$60,000, and run it, instead of paying this large sum to these rattle-trap American steamers, which were condemned by American Inspectors, and not allowed to run on the American coast. These miserable boats were palmed off on British Columbia by bogus Companies. His Province had lost 500 citizens in one moment, owing to the use of these steamers; and the present state of things was unbearable. This line, unless compelled to do so, would not use British Columbian coal, and if the Government run its own steamer, the officer, crew and outfit would contribute to the revenue of the country.

MR. THOMPSON (Cariboo) said he could not allow the very extraordinary speech of the hon. member for Vancouver to pass. There were not two better boats on the Pacific Ocean today than the *City of Panama* which was 3 years old, though she had a propensity for rolling. He had been 16 times up and down that coast, and the passage had averaged 27½ days, and many times it had been under 30 days. The

hon. gentleman had talked about buying a boat for \$34,000 when he should know that one could not be bought for \$250,000. It might be better if they had two British boats owned in Victoria performing this service, but they must take the next best thing, and not cut their noses off to spite their faces. He believed one of the boats took her coal on the American side, and one at Nanaimo, and he thought that in future contracts they should be both made to take their coal at Nanaimo.

MR. BUNSTER said it had taken five days coming down the last trip, and when the Governor-General went up it took six days. He could discount the hon. member for Cariboo in judging of a boat or in boxing a compass. The Government were trying to wipe out British Columbia and induce its inhabitants to go in for annexation, but British Columbia was true and loyal to the old flag, but they wanted the Government to run their own boats.

MR. McINNES said he wished to call the attention of the Government to the necessity of having one of these steamers go direct to the mainland at least once a month. Very often the mails arrived at Victoria, and remained there 2, 3 and 4 days at a time, and more than double was paid for freight from Victoria to the mainland than from San Francisco to Victoria. He urged that the Government should expend \$4,000 or \$5,000 on a steamer to run between Victoria and New Westminster.

MR. ROSCOE said the steamers on the Pacific were really as good as could possibly be expected.

In answer to MR. LANGEVIN,

MR. CARTWRIGHT said he believed the contract would lapse in 1879.

MR. LANGEVIN said it would be very important, if possible, to make Victoria the terminus. He did not know if there were sufficient people to justify the extension of the line to the North-West.

Vote agreed to.

117.	Steam communication with the Magdalen Islands.....	\$ 42,000
118.	Do between Nova Scotia and St. Pierre.....	5,000
119.	Do between Grand Main Island, N.B., and Mainland.	1,500
76.	Military Schools in Nova Scotia and New Brunswick.	10,000
92.	St. Peters Canal .....	144,100
6.	The Department of Militia and Defense.....	36,450

## COLLECTION OF REVENUE.

## XXIV.—CUSTOMS.

*Salaries and Contingent Expenses of the several Ports.*

187	{	In Province of Ontario.....	\$216,383
		do Quebec.....	200,445
		do New Brunswick.....	93,195
		In the Province of Nova Scotia.....	195,635
		In the Province of Manitoba and North-West Territories.....	12,450
		In the Province of British Columbia.....	22,308
		In the Province of Prince Edward Island.....	24,420
		Salaries and travelling expenses of Inspectors of Ports and travelling expenses of other Officers on Inspection.....	16,000
		Contingencies of Head Office, covering blank books, printing, stationery, &c., for the several Ports of Entry.	15,000

MR. McCALLUM said an increase of \$500 appeared in the items for the port of Chatham. In 1874 the salaries were \$2,260, and last year they were \$3,060.

MR. BURPEE said that no additional officer had been appointed, but the salary of an officer at London had been increased \$200 since 1874. This was provided for before they came into office, and he thought, on the very day of the resignation of the late Government. It was afterwards with some others allowed.

MR. McCALLUM said that he thought the Custom House officer and not the light-house keeper should be appointed Harbour Master, and he should live at London, not 12 miles from it. This occasioned great inconvenience.

MR. BURPEE said he was not aware until the question arose the other night, that this officer lived at a distance from Rondeau. He was the next morning told that this man was looked upon as a detective officer along the lake shore. It was a special appointment. He would see whether his services were required, and more important at Rondeau than along the coast. If so, he ought to be stationed there.

*Votes agreed to.*

XXV. EXCISE.

188. Salaries of Officers and Inspectors of Excise .....	\$174,040 00
Travelling expenses, rent, fuel, stationery, &c.....	40,000 00
Preventive Service .....	5,500 00
To pay Collectors of Customs allowance on Duties collected by them .....	2,000 00
	\$221,540 00

MR. LAURIER said that the salaries had been reduced \$9,960, and travelling expenses \$3,000. A great deal of assistance that had been required in former years was dispensed with this year.

MR. MACMILLAN said that when the duty was taken off coal oil it was thought desirable to decrease the number of officers in the City of London; and a proposition was made to a very efficient officer, named Wilson, that if he would resign his position he would get a year's salary (\$600) as a gratuity. He waited a considerable time, until this amount was actually granted him, and brought down in a statement and placed on the floor of the House; and then, in pursuance of the agreement, he sent in his resignation, and had not received his gratuity. He (Mr. Macmillan) was informed by the Department that this officer had resigned unconditionally, although this was done after the amount had been granted. He was told that the Order in Council making the grant was still in existence, and that this Order must either be cancelled or the amount passed. He thought that this agreement should be carried out on the part of the Government after the officer had kept his part of the contract. He could readily understand a private

MR. McCALLUM.

individual being a party to such a trick, but he could scarcely understand how the members of the Government could be a party to it. The promise was undoubtedly made, and it should be kept.

MR. LAURIER said that the facts were these: Last year a certain number of officers were removed, amongst others Wilson, of the excise at London, on condition that he was allowed a gratuity of \$600, a year's salary. This amount was voted by the Treasury Board, and the Order was passed in Council, sometime during June, last. It was then sent from this Department to the Auditor's Office, but through some clerical error in the Auditor's Office, the cheque was never sent, and Wilson continued to act, not exactly in the capacity of an excise officer, but as inspector of oil. The matter so rested until February last. Sometime in January, complaint was made to the Department that Wilson, in violation of the law, was acting as inspector of oil while interested in the oil trade; and, thereupon, he believed, without any communication from the Department, Wilson sent in his resignation unconditionally. The matter rested there. It had not been before the Department since.

MR. MACMILLAN said that the reason why Wilson pursued the course he did was, because, he was informed by one of the officers of the Inspector's Department in the district, that this amount, \$600, had been granted him; and he waited, day after day, expecting to receive official advice of the fact from the Department. In the meantime, he knew that his services might be dispensed with at any moment, and he was prepared for this emergency; he was acquainted with the oil business; and, unquestionably, he had some interest in it; but he only did so preparatory to earning his livelihood when he left this position. It was most singular that this Order-in-Council should have been passed months ago, and sent to the Auditor's Office, and never have gone any further. The resignation was sent in on a Saturday, and the statement containing this grant was placed on the table of the House some five days before. All the publicity

possible was given the matter, official notice direct to Wilson excepted.

SIR JOHN A. MACDONALD: After this conversation, no doubt, the hon. gentleman at the head of the Department will see that this is a case of very great hardship which savours a little of sharp practice; and also that this man gets the \$600.

MR. CURRIER: It is a peculiar case, and I am not now prepared to say whether this is or is not entitled to it.

MR. BOWELL: Why is the increase of \$100 made at Belleville?

MR. LAURIER said it was made to the salary of one of the Excise officers, who had passed his examination from 3rd to 2nd class. Under regulations in force for several years, they had four classes of Excise officers, 3rd, 2nd, 1st, and special class; the salary for the last named being \$1,000, whenever an officer passed an examination it entitled him to an increase of \$100.

MR. BOWELL: How many officers are employed there?

MR. LAURIER: Four.

MR. BOWELL: Who is the Collector?

MR. LAURIER: Wm. Halkin.

MR. BOWELL: He has been Collector there for three or four years; and his name is left out in this return.

MR. LAURIER: I cannot say why his name is not in the report.

*Vote agreed to.*

*House resumed.*

*Resolution reported.*

House adjourned at  
Half-past One o'clock.

HOUSE OF COMMONS.

Tuesday, 30th April, 1878.

The Speaker took the Chair at Two o'clock.

PRAYERS.

GOVERNMENT OFFICIALS IN ELECTIONS.

PERSONAL EXPLANATION.

SIR JOHN A. MACDONALD said he wished to say a word in regard to a conversation that had taken place in the House respecting the position of Mr. Moylan, in consequence of his alleged presence at a banquet given to him (Sir John A. Macdonald) in Peterborough. At the time, the hon. the Premier mentioned that a man in the employment of the Government had been with him on an electioneering tour, he had forgotten all about the circumstance, and he asked who it was. The hon. gentleman replied Mr. Moylan. He had, then, forgotten the fact that since 1867 Mr. Moylan was not inspector of prisons, as well as of Penitentiaries. He had really forgotten almost everything connected with the circumstance; but he had since ascertained that Mr. Moylan was not in the employment of the Government in any sense at the time, but was there present as a journalist. He believed that it was in June, 1872, that such employment ceased; he returned from Ireland and ceased to be an immigrant agent, and was not appointed to his present office until September, 1872, on the death of Mr. J. O'Neil.

SUPPLY.

XXVI. CULLING TIMBER.

House again resolved itself into Committee of Supply.

(In the Committee.)

189.	{ Quebec Office.....	\$72,900
	{ Montreal Office.....	4,855
		<hr/>
		\$77,755

MR. WHITE (North Renfrew) said that excessive charges for the culling of timber had been imposed by an Order-in-Council passed on the 18th of June,

last. It was provided by an Act passed last Session, that the Governor in Council could impose such charges for the measurement of timber as would meet the salaries of the cullers, at an average of \$700 each, and the expenses of the office; but he found that the dues that would accrue from the measurement of the timber last year, at the rates established by this Order-in-Council, amounted to \$36,510.64. Eighteen cullers, at \$700 each, cost \$12,600, and as the proportion of the office expenses, which he took was properly chargeable against the timber Department, would be about \$8,500, amounting in all to \$21,000, leaving a surplus of \$15,410. The tariff, however, should be based on the average of the five years preceding, and this for the years from 1872 to 1876, including 1876, at the rates imposed by this Order-in-Council, would be \$30,266.33, whilst the charges were \$21,100, leaving a surplus of \$9,166.63. The hon. the Minister of Finance had laid down the principle that any tax levied on the public, in excess of the public requirements, was nothing more nor less than legalized robbery; but, if he should use the term, this was not even legalized robbery, as the Act stated that such charges should only be imposed as would meet the requirements of the office. He would urge upon the hon. the Minister of Finance, the desirability of so reducing these charges, and of not imposing a special tax on this particular industry.

MR LAURIER said that the revenue accruing from this source last year, in the Port of Quebec, did not exactly meet the expenses. The revenue was only \$67,127.93, while the expenses were \$67,911.92; and, if the dues on square timber were reduced, the fees on other specifications of lumber would have to be increased, otherwise there would be a deficit in the total earnings of the Department. The rates imposed last June were merely tentative. The Department was prepared to consider a new tariff.

MR. WHITE said that if any change at all were made it should be made before the season for measuring timber began. Up to the 18th of last month, the

MR. WHITE.

tariff was very much less than it was subsequently. He thought that the expenses of the Department had been more than met by the proceeds. The amount accruing for the culling of timber up to the 30th of June, 1877, according to the Public Accounts was \$65,984.31, for the Quebec office only, and the amount paid was \$63,237, leaving a surplus for the last fiscal year of \$2,600, instead of a deficit.

MR. LAURIER: There is the Montreal office besides.

MR. WHITE said that there was a special tariff for measuring hemlock, which was very much below that for pine, and this tariff more particularly applied to the Montreal office, because very little hemlock was measured in the Quebec office. He contended that the expense of the Quebec office should be made chargeable on it alone, and it should not be charged with the expenses of other offices throughout the country. A very much less rate for measuring square timber would meet the necessary expenses. A large surplus had constantly existed in this regard during past years at the Quebec office.

In answer to MR. LANGEVIN,

MR. LAURIER said that under the Act passed last year 26 cullers had been pensioned receiving \$200 each; there were now, square timber cullers; 19 deal cullers and 9 stave cullers.

MR. MITCHELL: How many have been appointed during the same period?

MR. LAURIER: Not one to my knowledge.

MR. BERTRAM said he had last year directed the attention of the hon. Minister of Inland Revenue to the fact that when lumbermen had a culler sent to their mills to cull deals and sent it to Quebec, the culling was sometimes not received by the purchaser, and a survey was made; in this manner the seller was made to pay twice for the same service. The culling of deals at any one place in the Dominion should be made final. The present system was unjust.



MR. LAURIER said that according to the Act, if a party was dissatisfied with the culling and asked for a survey, the culler had to bear the expenses if his culling proved to be wrong; otherwise, the party complaining.

MR. BERTRAM said he spoke of a matter-of-fact, which was within his own knowledge. He had asked last year in one case that the second payment should be refunded; but he had got no satisfaction from the Minister of Inland Revenue.

MR. HAGGART said the trouble was that purchasers would not accept the culling of certain cullers, and to make sales sellers were obliged to obtain a second culling and pay for it. These men were paid from \$15 to \$20 a day.

MR. LAURIER said that whenever a culler was engaged outside of the port where the timber was shipped, to a certain extent he was beyond the jurisdiction of the Department, and his savings belonged to him and not to the office. Culling at the port of shipment, on all exported lumber, was compulsory, and this culling was done under the supervision of the Department which was responsible for it. He so understood the law.

MR. BERTRAM said it was only just that the culling of an official culler should be binding whether done at the mill or in Quebec. The payment of double fees was unjust. This grievance existed as a matter-of-fact.

MR. McDOUGALL (South Renfrew) said there was no room for difference of opinion as to the measurement of lumber; but there was with regard to the quality. The latter work was a mere matter of judgment; and opinions often differed respecting it. Some cullers, though all were sworn, were known to be easier in their judgments than others, and objection was sometimes taken to the culling of the former class by purchasers.

MR. POPE (Compton) said that the culler could be chosen by the parties concerned, otherwise one official culling should be binding.

MR. WHITE said it would not be right or proper that because a culler was licensed, his dictum should be final. This would destroy the remedy of submitting a culler's decision to the arbitrament of three cullers which was provided for in the Act. Of the revenue accruing last year, \$2,425 had been paid as retiring allowances to cullers; but it was provided by the Act passed last year, that the amount already paid in to the Consolidated Fund by the cullers, over and above the expenses of the office up to that time, could be used to pay these allowances; and he thought that this should be done until this fund was exhausted. These allowances should not previously be made a charge on the lumber trade. It was decided last year that 3c. on square white and red pine would be sufficient, with the other charges, to meet the expenses of the office. This might be right or wrong, but certainly the amount charged last year, under the Order-in-Council mentioned, was much in excess of what was necessary to perform the service. In simple justice these charges should be reduced; and if such action as were taken it ought to be done before the season began.

MR. CURRIER said that the cost of measuring timber which came down the St. Lawrence, and from Michigan, was about three times as much as the cost of measuring the timber which was brought down the Ottawa. All the timber which came down the St. Lawrence had to be canted from the moulINETTE into the water, and, as it was canted off, the culler measured it; whereas in a raft the culler measured the timber without moving or canting a stick. The charges for measuring moulINETTED timber ought to be three times as much as for raft timber. This did not require any legislation to change, but simply an Order-in-Council, or instructions to the Supervisor of Cullers. The law also worked badly in this respect: that, as soon as the culler earned \$700, he could do no more work that season. Some of the cullers earned this amount by the middle of August, while others had to work out the whole season. This was not right. To remedy that the list should be left open or the Supervisor have power to send

out the cullers as he choose, and not take them in rotation. The office should be under the control of the Supervisor.

MR. LAURIER said he heard a great many complaints, not only from lumbermen, but from the cullers themselves. One of the chief complaints was that, under the present system, the square timber cullers were not sufficiently paid, while the complaint of the merchants was that there should be an open list, and that they should have the liberty to choose the culler they wished to employ. The last Act provided that the Supervisor should give employment to cullers by rotation. The Act should be further tested before proceeding to change it.

MR. MITCHELL said he was surprised that lumbermen should tolerate this system. In the deal business, the system of culling in New Brunswick was very simple. A surveyor was employed at the mill, who received his \$2 per day, and who culled and measured the deals; and, although large shipments were made to Europe, their culling was very seldom disputed. He would advise the hon. the Minister of Inland Revenue to wipe out this whole system at Quebec and adopt the one at New Brunswick.

MR. WHITE (North Renfrew) said the views of the hon. member were not held by those in the lumber trade on the Ottawa. It was necessary, in the interests of the square timber trade at all events, that this office should be maintained, for the purpose of ascertaining the exact number of feet in the rafts which went to Quebec.

MR. COOK said before the hon. member for Northumberland appeared as the champion of lumbermen upon the floor of this House, he should first attempt to ascertain their views. The lumbermen did not wish to abolish the office of Supervisor of Cullers at Quebec.

MR. MITCHELL said he had never pretended to make himself the champion of the lumbermen, but simply endeavoured to give the benefit of his experience which was worth something.

MR. CURRIER.

MR. GILLMOR said he thought lumbermen should take charge of slides and booms rather than the Government.

MR. LAURIER said it was difficult for a young Minister to frame a tariff when the lumbermen disagreed among themselves. He would consider the suggestions which had been made.

MR. BOWELL said he would like to know why twenty-six cullers had been pensioned.

MR. LAURIER said that this was done under an Act last Session, which provided for the reduction of the number of square timber cullers to not more than eighteen, all others to be superannuated.

MR. BLAKE: They are paid out of the cullers' fund.

*Vote agreed to.*

XXVII. WEIGHTS AND MEASURES AND GAS.

190. Salaries of 96 Deputy Inspectors of Weights and Measures..... \$54,300

MR. LANGEVIN said that these men were paid so much a year and travelling expenses. The present system did not seem to work well. These officers had very little to do, and the people in many parts of the Province of Quebec were not satisfied with them. They fulfilled their duties very carelessly; and, in a number of places, instead of attending to their duties, they did something else. They were merely electioneering agents, in many cases, for which work they were paid out of the taxes of the people. Some measures must certainly be taken to prevent this. He could give instances in this relation. This evil should be remedied. These men worked in the interest of Government candidates.

MR. ROCHESTER said the carrying out of this law caused very great dissatisfaction. Nothing had been done with regard to the complaints made some time since. Scales, and weights and measures worth from \$200 to \$300, were to be seen in the Inspector's office; and they were taken away without any right from merchants. Some of the names of these persons were Leon David, McCarthy, Franklin and Kavanagh, of Upper Town.

The last mentioned merchant had informed him that the Inspector had walked in the middle of the afternoon into his shop, when it was filled with customers, and carried off his scales, leaving nothing in the place to weigh with. This occurred a few months ago, and was calculated to do Mr. Kavanagh great damage in his business. There was no redress against the high-handed acts of these officials possessed of a little brief authority. Scales seized were sold on the market by auction; and it was no use to appeal to the Inland Revenue Department for redress, though if the hon. gentleman (Mr. Laurier) heard the complaints, he was sure that the whole community would get justice.

MR. MITCHELL: No soft solder.

MR. ROCHESTER said he was not soft soldering the hon. gentleman. He complained of the man who was behind the throne, the deputy in the Department. A number of gentlemen in this city had imported sets of brass imperial weights, costing \$28 each; and these were confiscated, though just as good weights as those proposed by the Government. This was a great hardship, which did the people no good. Weights should be sufficient for the purpose as long as they were correct. The City Inspector had regularly inspected these same weights and measures and branded them for years, and still they were taken away and no recompense was allowed. This was an oppressive Act which should never have been put in force in this country. Another abuse related to the sending of scales, etc., to a particular man in the city who was cousin, uncle or brother, or political cousin of the Inspector or something of the kind. The Inspector obliged merchants to do so; and \$7 was charged in one case for the mere verification. The charge varied from \$5 and \$6 to \$16 per scale. These abuses should be looked into.

MR. MITCHELL said that Robert C. Cutler had been appointed as Inspector for the county of Cumberland: salary \$493.68, contingencies \$28.22. This man had drawn his salary for two or three years, and had not done anything for it. He had never heard of him until sometime in November last.

MR. LAURIER said that if these officers were paid by fees in lieu of salary, it would be still more conducive to abuses, as they would then have an inducement to intermeddle and make themselves officious. In time this law, which was absolutely necessary and good in itself, would give universal satisfaction. No civilized nation would dispense with such a measure, though the hon. member for Northumberland called it an incubus.

MR. MITCHELL: I do.

MR. LAURIER said the hon. gentleman, however, was responsible as one of the promoters of the law. An Inspector of Weights and Measures, under the present circumstances—as these men were rather unpopular—would be the last man he would choose to canvass in his interest. It was, however, quite possible that the men in their private capacity had canvassed, they were like other men, and he knew Civil servants who meddled in elections, not only in the Liberal, but also on the Conservative, side in the Province of Quebec.

MR. MITCHELL: Where is Johnson, and what is he doing? Is he not canvassing in Lower Canada for the friends of the Government.

MR. LAURIER said that Mr. Johnson was not canvassing anywhere, but on the contrary making a very necessary tour of inspection.

MR. MITCHELL: He does a little canvassing I guess.

MR. LAURIER said that the hon. gentleman mentioned an officer who had drawn his salary for two years, and who had done nothing, and it was absolutely necessary that all these officers, in every part of the Dominion, should be under the close superintendence of the Department. It was hard to give an officer power to confiscate scales but this had to be done; and it could not be avoided. He was certain that as long as this system existed there would be cases where officers would make themselves somewhat overbearing and tyrannical. But the law had to be complied with, and if a man refused to comply with the law it was the officer's duty to confiscate his scales; but at the same time as long as he was at the head

of the Department he would not tolerate any overbearing or uncivil conduct on the part of these officials. A remedy existed for these complaints. They should be brought, as was provided for by law, before the Minister of Inland Revenue. It was not to his knowledge that any complaint in this relation had as yet been made, except in one or two cases; and he believed that in these instances justice had been at once done. When the complaint was made about the officer in Cumberland county drawing his salary without giving any consideration for it, they had written him, and directed him at once to comply with his duties, and he was quite satisfied, from the answer they had received, that the hon. gentleman would not have to complain in this respect in the future.

MR. MITCHELL said he was not going to be satisfied with such an answer. Was this justification for the Government having appointed a man to this position for political purposes—a man who sold himself to the hon. gentlemen opposite in order to turn the late Government out of office, and who was awarded for his treachery by this very appointment for which he had drawn his salary without doing any work for it. The late Government was responsible for passing the law, to come into operation when necessity called for it. The necessity never existed, and this Government was responsible for having brought the law into operation when uncalled for. An Order-in-Council should be issued to abolish the law.

MR. ROCHESTER said where a manufacturer adjusted his own scales the Inspector should certify to their correctness, if they were rightly adjusted, and not send them to a friend of his to be readjusted.

MR. LAURIER said instructions were sent last February to the different Inspectors to give notice in advance so that people could choose a registrar for themselves. This order was given because some of the Inspectors had been in the habit of taking adjusters with them, compelling the people to use these adjusters and none others.

MR. LAURIER.

MR. PLUMB denied that the present Government was bound, as stated by the Finance Minister in his picnic utterances, to put the Weights and Measures Act into operation. For whatever odium was attached to it gentlemen opposite were blameable. The charge that the late Government was in any way responsible for the expenditure of \$100,000 a year, which had been entered into, was unfounded; and, although the Act had been passed, it was not to be put into operation until necessary.

MR. CARTWRIGHT said the late Government had a sum in the Estimates for the carrying out of the Act during their last year of office.

MR. JONES (Halifax) said the hon. member for Cumberland was responsible for the introduction of the Act, an act for which he (Mr. Jones) could see no necessity, as he pointed out at the time.

MR. TUPPER said the Act was brought forward at a time when it would have been simply criminal, considering the frauds and mistakes which had occurred prior to its passage, to have neglected to introduce it. The Act was introduced none too soon, and he (Mr. Tupper) assumed the responsibility of it. The Minister of Finance and the Minister of Militia, in holding up the Act to execration and contempt at public meetings, were very inconsistent in continuing the Act in operation. The hon. member for Niagara was quite right in his statement as to the Act. Hon. gentlemen opposite came into office when the Act was not law, and as soon as they issued the Order-in-Council enforcing it, they assumed the responsibility for it. Mr. Johnson was now away on an electioneering tour. The Minister had said that he was away on an inspection tour, but he was not an Inspector. His duties were at Ottawa beside the Minister. The bad way in which the law had been enforced had made it unpopular, and the continuance of the law by the Government laid the responsibility upon them. If they thought it should not be continued they should repeal it.

**MR. MACKENZIE:** We cannot recall it.

**MR. TUPPER** said if they had come to the conclusion in Council that this was not a wise or necessary law, it was their duty to refuse to bring it into operation, and then, when Parliament met, to bring forward a measure for its repeal. They had no option between that course and taking the entire responsibility of the measure. He did not desire to divest himself of any responsibility in regard to it. He believed it was not passed before it was necessary, and that it was right to bring it into operation as soon as possible, and then in working it to divest it of anything calculated to create hostility in the public mind. He believed the Government were doing right in keeping it on the Statute book, and he objected to their keeping up a feeling of hostility to a measure they were carrying out. He did not believe it would entail a large expense. The reports showed that, wherever the law was most efficiently carried out, there was the least expense, because a return was made to the expenditure. The law should be enforced, not in the interest of any party, but in the interests of honest dealing between buyer and seller.

**MR. CARTWRIGHT** said the hon. gentleman had, as frequently happened, confounded two totally different points. The point he (Mr. Cartwright) had been making was, that the present Government were not responsible, fairly, for the addition to the public expenditure caused by putting in force an Act which they had not placed on the Statute-book.

"The present Government had provided in the Statute-book for, and had expended, a considerable sum of money in preliminary steps for organizing a system of weights and measures which the present Government found themselves bound to carry out at an annual cost of \$100,000."

Now, the House could judge of the charge, that he never lost an opportunity of villifying the late Government on account of this measure. If that was villification and abuse, the hon. gentleman's vocabulary had better be revised. The whole of the hon. gentle-

man's press, from one end of the country to the other, had been denouncing the present Government as the authors of that measure, and it was in reply that they pointed out whether the measure was good or bad, in regard to which he (Mr. Cartwright) expressed no opinion. It was a measure passed by the late Government and introduced by the hon. member for Cumberland (Mr. Tupper) himself, who was at that time, if he remembered right, either the Minister of Inland Revenue, or the Minister of Customs. He (Mr. Cartwright) had pointed out that the present Government were simply putting in force an Act already on the Statute-book.

**MR. TUPPER** said if the speech read by the hon. gentleman had not been revised, it would put him (Mr. Tupper) considerably in fault. But what the hon. gentleman had read was not what principally left that impression on his (Mr. Tupper's) mind. It was a sentence in which the hon. gentleman spoke of "This precious Weights and Measures Act." Those were the words, and he thought if the hon. gentleman would go to the paper in which his speech was first reported he would find that what he had just read was a revised report. It was not the hon. gentleman, however, to whom he referred as villifying the Act, it was the Minister of Militia.

**MR. CARTWRIGHT:** He referred to me and the Minister of Militia in the same paragraph, and in the same terms.

**MR. TUPPER** said he had spoken of the Finance Minister's language as being calculated to excite the hostility of the country against the Act, and then he referred to the denunciation of the Minister of Militia.

**MR. CARTWRIGHT:** I am sure that speech at Newmarket was correctly reported. My speeches were reported almost *verbatim et literatim*. There was very little revision.

**MR. MITCHELL** asked what amount was required to put the Act in force?

**MR. CARTWRIGHT** said it was an amount which occurred in the estimates of 1873-74 for that purpose,—

"Expenses in connection with Weights and Measures, \$10,000"—and it was on that that Mr. Brunel went to England, and as he was informed made large orders.

MR. MITCHELL said that was the excuse which the hon. gentleman gave for charging upon the late Government the enormous expenditures under this Act.

MR. CARTWRIGHT said that the result of that vote was Mr. Brunel's visit to England, where he made orders, he believed, to the amount of something like \$100,000.

MR. MITCHELL said he could find no authority under the late Government for any expenditure except that \$10,000. Did the hon. gentleman mean to say that the late Government were responsible for standards which were not delivered for 3 years afterwards. Did he mean to say that because an expenditure of \$10,000 was authorized in 1873, the late Government was responsible for an expenditure of \$120,000 which these gentlemen had squandered in this manner. He was not going to free himself from the responsibility of the Act, but while it might be necessary at a future day it might not have been desirable at the moment it was called into existence. In his county the Inspector had been drawing his salary for 3 years without doing any work.

MR. ROSS (West Middlesex) said the Act did not cost \$120,000. Credit must be given for the receipts.

MR. MITCHELL said that the hon. gentleman could state what the receipts were, he stated the liabilities. From his county the receipts were *nil*. The Act for the registration of Shipping was to have been brought into operation by an Order-in-Council, in the same measure as this Act, but the present Minister of Marine and Fisheries had taken no steps to bring that Act into operation. Why was the rule applied in the one case and not in the other?

MR. TUPPER said he did not desire to divest himself of the responsibility attaching to the introduction of the Act. The report laid upon the table of the House this Session showed the

MR. CARTWRIGHT.

current expenditure to be \$70,140.74, and the revenue collected to be \$50,375.45. He thought the Government were right in reducing the fees, because it was desirable not to make the Act more objectionable than was necessary. There was only a difference of about \$20,000 between the expenditure and the receipts.

MR. BROUSE said he knew that in this part of the Dominion the officers selected were the best that could be selected. In the county of Leeds and Grenville the officer had administered the Act almost to the satisfaction of the people. It was a very unpopular law, but he had carried it out well. The receipts from Leeds and Grenville were more than double the expenditure. He was very happy to hear from the Minister that the wishes of the people would be met, so far as to take the adjuster along with the inspector. When this measure was brought forward in 1873, he had opposed it, as far as he could, and had stated that it would be an unpopular measure. But it was forced upon the country by the late Government; and, if the present Government had not carried it out, there would have been a howl in the picnic speeches of hon. gentlemen from one end of the country to the other. The Government were bound to carry out that measure. It was on the Statute-book. A large expenditure had been incurred.

MR. MITCHELL: None at all.

MR. ROSS (West Middlesex): \$10,000.

MR. BROUSE said there was a large expenditure, and was there not a certain responsibility in regard to that, and also in regard to an individual who was sent abroad to secure standard weights and measures.

MR. MITCHELL: Not till the other Government came in.

MR. BROUSE: The member for Cumberland stated he took the responsibility for this measure.

MR. MITCHELL: That is another thing.

MR. BROUSE said he thought if the other members of the Government had taken the responsibility in the same

manly way as the hon. member for Cumberland (Mr. Tupper), they would deserve more credit from the House and the country.

MR. ROCHESTER said he had several letters in his possession from merchants in this city, who had written to him respecting the abuses some of them had suffered in connection with this Act. They had given him these letters on the condition that he should not name the writers. He would, with their permission, give the names to the Minister of Inland Revenue, but they were afraid to give their names, because of the injury they would sustain from the deputy of that Department. Some of them had imperial weights taken from them, and they wished to know if they could not have them returned. They had been bought in London, England, and stamped; some of these weights had cost \$70. This was a great hardship.

MR. LAURIER: I am really surprised that these outrages should take place and no complaint be made.

MR. ROCHESTER: The people are afraid to do it.

MR. LAURIER: Afraid?

MR. ROCHESTER: I will undertake to prove it to the satisfaction of the hon. gentleman.

MR. LAURIER: I would advise the people to have courage.

*Vote agreed to.*

191. Salaries of Gas Inspectors. . . . \$11,000

MR. BOWELL: Have they been appointed?

MR. LAURIER said that several were appointed. Many of these officers were not paid regular salaries; but those who received such salaries were the following: the Inspector at Hamilton, salary \$700; Inspector at Montreal, salary \$2,000; Inspectors at Toronto, Quebec, St. John and Halifax, \$1,000 each; and Inspector at Pictou \$300.

MR. MITCHELL said that A. Rowan, St. John, N.B., was credited with \$1,800 and with \$354 for contingencies, making \$2,154; and the Inspector at Halifax with \$1,563.50.

MR. LAURIER said that this related to the period before these appointments were made. If he was correctly informed, the officers named had been appointed since the commencement of the present financial year. This \$1,800 to the Inspector at St. John was not given as salary, but for services rendered.

MR. MITCHELL: What is the difference?

MR. LAURIER said that this was for services for more than one year.

MR. BOWELL said that when the law was under consideration, it was distinctly understood that the Inspectors of Weights and Measures would also act as Gas Inspectors.

MR. WOOD: They could not do the work which requires scientific training.

MR. BOWELL said that this was not desirable, because the Government patronage would not then be so extensive. This was done to multiply the number of officers. It required special knowledge and training to perform any duty. If the salaries were made commensurate with the duties in question, men could easily be obtained with sufficient intelligence to perform both services. He did not know on what principle these inspectors were appointed. In the city of Ottawa, certainly, a large amount of gas was consumed.

MR. LAURIER: No inspector is appointed here. The work is done by the Department directly, so far.

MR. MACKENZIE: There is some gas here that cannot be inspected.

MR. BOWELL said that if hon. members inspected each other's gas, the opinions given to the world would, perhaps, not be worth much. He was afraid that if the hon. the Premier inspected the gas of his opponents, he would find it not worth much; and *vice versa*. If the intention of the law was carried out, as was distinctly understood would be the case, a very great saving would be affected. In Toronto the total amount of the return for the year ending 30th June, 1877, was \$792.22, while the salary was \$1,000;

and this he supposed did not include office rent and etceteras. These returns should be made intelligible; the amounts mentioned were apparently for the year ending 30th June, 1877. They were delusive if the statement made by the hon. member (Mr. Laurier) was correct. He ventured to say that in a very short period a person of ordinary intelligence could learn to perform this duty properly. Professional knowledge was not required. Men should be selected who were qualified for both offices. But as long as the Government could multiply offices and have plenty of posts to fill, he supposed that just so long would they exercise the patronage in this way. Economical questions had little weight when there was occasion to fill offices which, to use a newspaper phrase, were too numerous to mention. This matter should be taken into serious consideration by the hon. the Minister of Inland Revenue; and both duties should be combined. There were a large number of places in Ontario, and he presumed in the other Provinces as well, which should have inspectors of gas as well as the cities mentioned and where these officers were just as necessary. He was afraid that there was very little hope for any improvement or reform in this relation, because the love of patronage and the desire to provide for friends were too great in the political world to suffer it to be accomplished.

**MR. CURRIER:** What are the duties of these officers?

**MR. LAURIER:** They have to test the quality of the gas, when required by the consumer or manufacturer; test the apparatus, and to go as often as he has reason to believe that the gas is inferior or the apparatus not accurate, and test them.

**MR. WOOD** said that the Inspector of Weights and Measures in a place like Hamilton, could not undertake the duties of the Gas Inspector, as two inspectors of weights and measures could scarcely do the work required of them. The duties of the Gas Inspector were beyond the powers of weights and measures inspectors. The former had to test meters, and the quality of the gas sometimes three or four times

a day, having to be in constant attendance at his office. As far as Hamilton was concerned the inspectors of weights and measures could not more than discharge the duties which were incumbent on them.

**MR. STEPHENSON:** Are other inspectors to be appointed in towns where gas is used?

**MR. LAURIER** said that the system would be extended, but he could not now say to what extent.

**MR. CURRIER** said that he opposed the Bill when it was introduced by the late Government, as he believed that it imposed an unnecessary tax on the people. The services of these inspectors were rarely required. In these days of cheap coal oil, if the companies did not manufacture good gas, the people would not use it.

**MR. BLAKE** said that the gas manufactured in Ottawa was most villainous, especially in many quarters of the city. For nearly two months, in the winter before last, he had had to abandon the use of gas in his house here, and use coal oil, which was very inconvenient. These officers were necessary.

**MR. CURRIER:** No complaint can be made about the gas in this House.

**MR. BLAKE:** There is gas above and gas below, but the gas below, which we make ourselves, is so much the worse that we are ashamed to complain.

**SIR JOHN A. MACDONALD:** There is gas escaping over there.

**MR. CURRIER** said that the gas was bad in some quarters of the city, but it, nevertheless, was good when it left the works.

**MR. WOOD** said that the gas companies had not objected, but had wished the appointment of these inspectors. The Inspector of Hamilton also visited St. Catharines, Woodstock, and several other towns in the discharge of his duties.

**MR. BOWELL** said that then there was no such a great amount of work to do, and hence this office might be combined with some other; Excise officers for instance might perform the duty. The gas was bad at

**MR. BOWELL.**



certain periods of the year. He would ask whether a special officer, or one of the clerks of the Department, did the work here ?

MR. LAURIER said that it was in contemplation to appoint an Inspector for Ottawa ; but the duty, so far, had been done by one of the officers of the Department. Technical knowledge, he understood, was required. Inspectors of Weights and Measures might have sufficient leisure to act as Gas Inspectors in country places ; but this was not the case in large cities. It was unfair, under the circumstances, to say that these officers were not wanted, because additional patronage was desired.

MR. BOWELL said that Inspectors of Weights and Measures could be given an extra clerk, and men qualified for both positions should be appointed.

MR. LAURIER said that in regard to smaller cities, it was proposed to give these inspectors districts. Ottawa district, for instance, would include Brockville and Prescott, as St. John (N.B.) included Fredericton.

Vote agreed to.

192. Rent, furniture and heating Gas offices ..... \$3,500

MR. MITCHELL said that the Weights and Measures Department cost the country \$176,545 last year ; balances cost \$78,408 ; equipment \$22,000 ; standards, (originally) \$20,000 and rent, furniture and heating \$15,190.

MR. LAURIER said that the details of expenditure were given on the 229th and 241st pages of the report for the Inland Revenue Department. The expenditure last year was \$99,545.98.

Vote agreed to.

XXVIII. INSPECTION OF STAPLES.

193. Rent, furniture and means of heating Gas Offices ..... \$3,500

194. Contingencies: Travelling expenses, fuel, &c. .... 25,00

195. For the purchase and distribution of Standards of Flour, &c. and for other expenditure under the Act. .... 3,000

XXIX. ADULTERATION OF FOOD.

196. To meet expenses under the Act 36 Vic. Chap. 49. .... 10,000

XXX. PUBLIC WORKS.

Maintenance and Repairs.

197. Salaries and contingencies of Canal offices ..... 32,020

MR. McCALLUM said two years ago he brought to the notice of the Government the advisability of removing one of the officers of the Canal, at Dunville, and combining the Canal office with the Customs, and was supported on that occasion by the hon. member for Haldimand, and the answer of the hon. the First Minister was that he would take the matter into consideration. He (Mr. McCallum) wished to know if the hon. gentleman has had an opportunity of removing that officer. He did not want to find fault with the officer ; he considered he was a good officer, able to fill any position, but, at the same time, he knew that a saving could be effected at that port by combining Canals with the Customs. He wished to know why that officer had not been removed ?

MR. LAURIER said under this item of Canal officers, there was a saving this year of \$3,150. He was not aware of the discussion which took place two years ago, and to which the hon. gentleman now alluded. It would be impossible to remove that officer unless by superannuating him. His salary was moreover \$600.

MR. McCALLUM : \$750, I believe.

MR. LAURIER: Yes. The amount collected is over \$1,200.

MR. McCALLUM: \$449.

MR. LAURIER said the amount collected this year on the Canal at Dunnville was \$547.92 for toll, and \$693 for rents, etc.; total collected, \$1,241.34. There might be good reason for superannuating that officer, and the first occasion the question came up it would receive his consideration.

MR. McCALLUM said he got the same answer two years ago. He did not want the officer to be super-

annuated because he was a young man and an able officer. The Government assured him (Mr. McCallum) two years ago, that on the first opportunity he would be removed to another place and save his wages. There had since been two or three occasions on which this could have been carried out. Mr. Clerk, the collector of canal tolls at Port Dalhousie, died some time ago, and he (Mr. Tipton) could have been removed to fill that position. But he (Mr. McCallum) supposed the hon. member for Lincoln and his friends found it necessary that the new appointment should be made from his county. The appointment was made accordingly, and this officer did not get the justice due him, and the Government did not economize the people's money. The collector at Port Colborne died likewise, and this officer applied for his place. The Minister of Inland Revenue must know something about this. He was applied to by this officer for the place, but the political friends of the hon. member for Welland (Mr. Thomson) wanted to have another officer, and the Government removed the officer at Port Robinson to Port Colborne, although his appointment was much later than this officer at Dunnville, in order to make room for another officer at Welland. In this way the money of the people was squandered. He hoped the Government would attend to this matter and save money; not to dismiss the officer, for he was young and capable, but to appoint him to another position. However, he supposed the 101 Grit families stood between him and promotion.

MR. THOMPSON (Haldimand) said there was a great deal of truth in what had fallen from the hon. member for Monck.

MR. McCALLUM: Is it not all true?

MR. THOMPSON said he was aware that three officers were more than were required at the port of Dunnville. There was one acting as collector of Welland Canal tolls, and two as Custom-house officers, which two could easily perform the duties of collecting tolls without interfering with the duties of their own office. As he (Mr. Thompson) had brought this mat-

ter under the attention of the Government some time ago, and as the hon. member for Monck had again brought it forward, he could not but endorse the remarks of the hon. member. He trusted the Government would, before long, see the necessity of providing for this officer, not by superannuating him, but by promotion. It must be a source of satisfaction to the hon. member for Monck to have a something about which to attack the Government.

MR. McCALLUM said the hon. member for Haldimand might have considered, when in Opposition, that the only duty of members of the Opposition was to oppose the Government of the day. As a representative of the county of Monck, he was ready to approve all that was good in the legislation of the country; but, at the same time, he would lack in his duty to the people if he did not expose on every occasion the wasteful extravagance of the Government. This was a small matter, but, before he got through with this canal question, he would be able to prove how the money of the people had been squandered. He regretted the hon. member for Haldimand was such a servile follower of the Government.

MR. THOMPSON: I only rise to say, in reply to the hon. member for Monck, that I am not more of a servile follower of the Government than he is of a party that were driven from power into Opposition, in 1873, where they are likely to remain for many years to come. I am a good supporter of a good Government, and, should I seek re-election, I am satisfied my constituents will fully sustain me in the course I have pursued.

MR. LAURIER said as the hon. gentleman was so anxious to see economy practiced, no doubt he would be gratified to learn that the Government had reduced the estimate to \$3,150. The appointment was made by the late Administration; there had been a collector at this port for over fifteen years. He would take the matter into consideration.

MR. McCALLUM said he did not want the officer superannuated. He charged the Minister with pretending

to be innocent of this matter when he had been applied to on behalf of this gentleman. He did not know whether the Government were entitled to credit for the slight reduction they claimed to have made; they were setting their house in order. The hon. the Minister of Inland Revenue could not effect this saving, because the political interests of the party interfered to prevent it.

MR. NORRIS said he never used his influence. He did not understand why the hon. member for Monck did not use his influence to have this man removed when he was on the Ministerial benches. He believed this gentleman had been there for fifteen or sixteen years. He (Mr. Norris) did not deny that if a vacancy occurred in his county, he would like to see a competent man appointed from that county.

MR. KIRKPATRICK said it was time the Government should begin to be more economical. They had increased the cost of collecting revenue in all the departments, and how were they beginning to reduce them? How was this saving of \$3,150 effected in the salaries of those poor lock-keepers and lock tenders? They were cutting down these salaries previous to the elections, and, no doubt, they were getting so patriotic that before the House adjourned they would introduce a Bill to reduce their own salaries and the members indemnity besides. In the Rideau canals, the officer at Kingston Mills was reduced from \$500 to \$200. Was that an actual reduction or was the balance charged to another Department?

MR. LAURIER: It is not reduced. The estimate was for \$500 but the salary was \$200. We had power to expend \$3,517; this year we take forward to expenditure \$3,200.

MR. McCALLUM said the hon. member for Lincoln (Mr. Norris) had stated this was the first time he had brought this matter up, but if the hon. gentleman had watched the proceedings of this House he would have known that the matter had been brought up before.

MR. NORRIS said the hon. member did not bring the matter up when his own friends were in power.

MR. McCALLUM said the hon. member might take all the satisfaction he wanted out of that. It was then not necessary. This officer was collecting revenue, and had work to do then which is not necessary to be done now.

MR. LANGEVIN asked from what Department the officer at Kingston Mills was paid?

MR. LAURIER said he could not say. His salary was not being cut down. In the Inland Revenue report his salary was placed last year at \$200. If he received a salary from another Department, he (Mr. Laurier) was not aware of it.

MR. KIRKPATRICK: Does he not receive a salary from the Public Works Department?

MR. MACKENZIE said he was not aware that he did. In some places the one officer did the work of Inland Revenue, Customs, and sometimes Public Works Department.

MR. McCALLUM: Do I understand the hon. the Minister of Inland Revenue to say he will take this matter into consideration?

MR. MACKENZIE said the hon. member for Monck knew there was always great dissatisfaction in counties at taking an officer from another county to fill a vacancy. If a vacancy occurred at Danville it would not be filled up. It was extremely hard to dismiss officers who had been a long time in the public service if it could be avoided. There was one officer less in that place than during the year the hon. gentlemen exercised the patronage of that county. In 1871-2, there were ten officers between Ports Colborne and Dalhousie engaged in the collection of revenue.

MR. McCALLUM said this man was living in the county of Monck, which was a part of the county of Welland judicially. The hon. the Minister of Public Works had said, a couple of years ago, that that officer would be removed. Now, the Minister of Inland Revenue said he was new to the Department and would take the matter into consideration. Ministers had always been new to that Department, and if the present Minister acted like

his predecessors he would not be there a year and a-half. The hon. gentlemen opposite were like birds of passage. They promised one thing to day, and their successors gave as excuse for not carrying that out, that they were new to the office and knew nothing about it.

*Vote agreed to.*

198. Collection of Slide and Boom Dues.....	\$20,245
199. Repairs and working expenses of above.....	366,500

MR. LANGEVIN said that he had called attention to this item last year, and he thought it was understood that details would have been given.

MR. MACKENZIE said he would find the salaries of the principal officers in the Public Works Report.

MR. LANGEVIN said he would like to have a statement of the permanent staff, and also a statement of those who were employed temporarily.

MR. MACKENZIE said he would give instructions to have such a statement prepared for the future.

MR. McCALLUM said he saw there was quite an increase in the amount for the maintenance of the St. Lawrence Canals. He would like to know if there had been any more renewals lately. He would like to know whether the increase was in the staff or in the maintenance.

MR. MACKENZIE: I think there is no increase in the maintenance.

MR. McCALLUM said he saw that the maintenance and revenue of the St. Lawrence Canals, namely, the Beauharnois, Cornwall, Edwardsburg, Montreal and Lachine Canals, had been as follows:—

Years	Maintenance.	Revenue.
1871.....	\$ 87,487.00.....	\$86,292.00
1872.....	95,935.00 .....	97,410.00
1873.....	104,742.00.....	113,893.00
1874.....	131,105.00 .....	115,654.00
1875.....	122,271.00 .....	116,181.00
1876.....	128,660.00 .....	108,666.00
1877.....	145,822.00 .....	103,369.00
1878.....	133,125.00.....	96,305.00

In each case he was taking the Public Accounts laid before the House at the time specified. This showed that, for eight years, we had expended on these

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canals \$949,187.00, and had collected \$837,770.00, or, in other words, we lost by the transaction \$111,417.00. If this were explained to be caused by renewals, it would be all right; but, if it were for the staff, it would be all wrong. Comparing the increase with 1873, they found that, in 1874, it amounted to \$27,563; in 1875, to \$17,527; in 1876, to \$23,918; in 1877, to \$41,120; and in 1878, to \$28,383. The increase might be perfectly legitimate, but, he thought, it required an explanation.

MR. MACKENZIE said he had not the St. Lawrence Canal separate from the Welland Canal, but the total cost of maintenance and repairs, that was wages and incidentals connected with maintaining the works, was, in 1870-71, \$360,396; in 1871-2, \$367,500; in 1872-3, \$406,839; in 1873-4, \$460,962; in 1874-5, \$489,986; in 1875-6, \$477,116. In these last three years, very extensive repairs were made, especially at Port Maitland, and these were included. In 1876-7, the cost had been \$396,842, and in the last half year \$180,848. He believed there was no appreciable increase to the staff, except, as he had mentioned to the hon. member for Charlevoix (Mr. Langevin), that at some parts of the work an increase of men had been necessary in consequence of the increased traffic at night. The hon. gentleman was aware that the amount of the revenue bore no relation at all to the matter, because the Government must maintain the same number of men and officers whether the traffic was large or small.

MR. McCALLUM said he did not find any fault at all, because there might be large renewals. The hon. gentleman had told them that there was no increase in the staff on the Welland Canal.

MR. MACKENZIE: I said there was an increase.

MR. McCALLUM said there had been an increase since 1873 in the payment of the staff on the Welland Canal of \$76,458. The increase last year, as compared with 1873, had been \$22,931. He had before shown that the present Government had set three men to do two men's work. The

political friends of the Government had petitioned to have Mr. Carter appointed harbour master at Port Colborne contrary to the report of the Superintendent of the Welland Canal, who said that Mr. Hamilton, who had charge of seven miles of the Canal, was able to discharge the duties of harbour master as well; still, to please political supporters, Mr. Hamilton was relieved of his duties and Mr. Carter appointed in his place. At the village of Dunnville they had created another lock-master's position in order to appoint a man and spend \$300 or \$400 a year of the public money to keep up a newspaper in the interest of the party. He hoped that as the hon. gentleman was so liberal in appointing officials on the Welland Canal, he would be kind enough to direct the Superintendent to open the back ditches along that Canal to remove the grievances of some people there, which might be done at a cost of \$2,000 or \$3,000.

MR. WHITE (North Renfrew) said he found \$10,000 put down for repairs in the Ottawa district. In the Public Accounts he found that \$20,000 had been expended for the same service last year. Were those works in such a state of repair as to justify the assumption that this small sum would be sufficient?

MR. MACKENZIE: So my officers inform me.

*Vote agreed to.*

200. Intercolonial Railway.....\$1,600,000

MR. MITCHELL enquired why the item of \$580,000 was charged to maintenance and not to capital?

MR. MACKENZIE said it was for maintenance and renewals both. The charge for renewals was spread over a number of years. They had been charging at the rate of \$200,000 a year until the road was all relaid. That had been going on for five years.

MR. MITCHELL objected to the old roads being taken into this account, and the relaying of those old roads charged to the working expenses of the Intercolonial. The proper way would be to charge the new steel rails to capital.

MR. MACKENZIE said it would be very convenient when the revenue was deficient to charge these expenditures to capital; but he had taken the ground that when once a road was equipped these amounts should be charged to revenue. In order to remedy this and have control over the cars themselves, they built 700 cars last year. These were all charged to capital account.

MR. TUPPER said that he supposed that the hon. the First Minister, on a question of such very great importance as the management of the Intercolonial Railway, would have been desirous to offer to the House some explanation as to the present position of this very interesting subject. He had deferred bringing about several matters of very great importance in connection with this railway because he thought that it would save the time of the House if he dealt with them at one period when this item in the Estimates came up; and therefore, with the indulgence of the Committee as briefly as he could, he would call attention to these matters connected with the Intercolonial Railway, which he thought demanded their very serious consideration. It will be recollected that when the change of Government occurred the hon. the first Minister charged Mr. Brydges with the important duty of making an examination, and report as to the then existing conditions of this railway. This gentleman in the discharge of that duty made a report which was accepted by the House and the country generally, as a very severe censure on the management of the road under the late Government and Mr. Carvell, who was then the superintendent. He took occasion to refute this report in the House, and as the statement which he then made, had, he believed, never been substantially challenged, it would not be necessary for him then to say that by a careful examination of the statement furnished by Mr. Brydges's report, he was enabled to show that the general impression conveyed by its tenor—that the road and rolling stock were in bad condition and that the management was bad—that the road-way, the permanent way and the rolling stock would compare favourably with that of

any road on this continent, but he was unable to challenge so strongly the statement of the gentleman, who was sent by the Government to examine the road, as to the question of management, because this was a question on which he had not the means of forming an accurate judgment. He felt, however, that Mr. Carvell's management of the road laboured under a disadvantage,—in fact that at that moment he laboured under every possible disadvantage. They were just amalgamating two systems in Nova Scotia and New Brunswick, which had been united by a piece of road connecting the two, and he (Mr. Carvell) had to amalgamate these systems of railway, both of which had been previously under independent management; and this involved, of course, the disposal of the staff, a very serious matter in connection with this change. It was also well known, and would be admitted by every person at all acquainted with the subject, that during that year Mr. Carvell had been exposed to one of the most inclement seasons which had existed for a long time in this country, and which certainly had had no parallel since. The severity of the winter, the immense depth of the snow, the amount of storms and ice that had to be contended with were unusual, and, in fact, exceptionally great; and, therefore, the inspection of the condition of the road, the expenditure that was required to be made, and everything connected with it, from these causes placed Mr. Carvell at a very great disadvantage. He was thoroughly satisfied, from the report made by Mr. Brydges himself, though it conveyed a very different impression to the House and country, that there was not room for any serious complaint; that as far as the general management of the road went, the very fact that Mr. Brydges was enabled to report that everything was in an efficient condition at an early period afterwards, and had an efficient and vigorous staff organised, and had been able to perform that duty without going outside of the then existing officers whom he found on the road, was a pretty satisfactory tribute to the fact that, although political influences might have then, as since, influenced

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the selection of officers for the management of the road, able and efficient officers had been selected for the purpose. The ground taken on that occasion by Mr. Brydges was that there was unnecessary expenditure in the management of the staff and in the number of officers employed in connection with the operation of the road, and that a very large reduction might be made. Mr. Brydges was appointed General Superintendent and authorized by the Government to make such changes in the organization as he had recommended; and, in fact, to carry out the recommendations which he had made. He (Mr. Tupper) might here say, in connection with this matter, that Mr. Brydges went into an elaborate examination of the receipts and expenditure of the road for the previous five years, and those who turned to the report made by Mr. Brydges on that occasion, would find that he arrived at the conclusion that, upon a careful examination of the receipts and expenditure of the roads, both in New Brunswick and Nova Scotia, then united together, one about balanced the other, that the receipts had been about equal to the expenditure. It was claimed that there had been some receipts in addition, but, taking into consideration the deterioration of the road, Mr. Brydges thought that they would about balance each other; and that they might look forward to this result in the future, especially if the recommendations which he had made were adopted by the Government, and he was authorized to carry them out. - Mr. Brydges stated, on page 56 :

“ And taking the traffic for the year 1874 as reaching \$850,000, I am of opinion that \* \* \* such a traffic should be worked without loss.”

Which, as he had said, had just taken place at that time. Mr. Brydges said, on page 58 :

“ And no doubt one cause of the present large outlay is the providing for the deficiency which existed when the roads were brought together, and the real fact, I suppose, is that during the five years which I have been considering, the earnings and expenses of the two lines, as a whole, were really on the balance.” \* \* \*

He might say that with relation to this, that in 1875-6 the receipts were \$878,077, and the expenditure \$1,159,142, showing a deficiency of \$281,065. Mr. Brydges received instructions from the Government to carry out the recommendations he had made as presented by reference to his supplementary report in which he stated that he had carried them out, and made the reductions, reducing largely the number of officials; and, in fact, that he had carried out all his recommendations as he was authorized by the Government to do. Upon reference to the reports which had been before the House, it would be found that at the end of the year he (Mr. Brydges) reported a considerable saving in the ordinary expenses, although as he stated, and he would quote Mr. Brydges's words— "The year was considerably advanced before the question could be vigorously dealt with." And with a great flourish of trumpets, it was, announced that in 1874 the working expenses were 114½ per cent. of the earnings, while, in 1874, under his management, they were only 95 per cent. He (Mr. Tupper) referred to this matter now because it was very desirable that they should look at this question, this very serious question of the working of the Intercolonial Railway, fairly in the face, because the hon. the First Minister was led away by the reports placed in his hands, not only there, but elsewhere, and had vaunted in somewhat loud terms the advantage which had occurred to the management of the Intercolonial Railway from the transfer of it to his hands from those of the late Government. The reduction in the percentage of the working expenses could be easily accounted for without giving any credit to the change of management. Every person knew—that knew anything in connection with this subject—that there was an enormous fall in prices, that material and that all the stores required by the Intercolonial Railway could be purchased at a much smaller sum at that time; and every person knew that owing to the depreciation in the coal trade, there was an enormous fall in the price of coal, and that this very large item in the expenditure of the road was also reduced, so

as to account, without giving any credit whatever to the change of management or to the reduction of salaries, for a very large reduction in the working expenses. Now, in this year's report, it would be found—and those who were acquainted with the wonderful mastery that Mr. Bydges had of the English language, and the facility with which he was enabled to state a case in the most favourable possible way from his own point of view, those who read the report of this year would be a great deal surprised at the altered tone it presented, as compared with former reports, and why? Because they had advanced another stage, because those great advantages which Mr. Brydges had at the outset, he had not had to the same extent this year. He would take, for instance, the change of gauge; under that change, a large portion of which was placed to capital expenditure, and every person acquainted with the operation of railways knew that they could, under the item of change of gauge, and in connection with this restoring of the road-bed, improve the permanent way, and, in fact, supply a very large amount of expenditure which otherwise, if that change had not taken place, and a capital account opened in connection with it, it would necessarily have fallen on the business of the track. In connection with this change of gauge the Government were enabled to make new the rolling stock and to send these broken down locomotives that were worn and required extensive repairs into the machine shop and bring them out comparatively new, and have a capital account for that purpose, and owing to the enormous fall in the price of materials it was very easy naturally to show a large reduction in that direction. The Intercolonial Railway was opened throughout its entire extent and, of course, the Superintendent had the advantage of having a new road at his hands, not two old roads as they were in Nova Scotia and New Brunswick, long in operation, requiring a great deal of expenditure, as Mr. Carvell had to keep them up from year to year, but an entirely new road and entirely new rolling stock, and even he additional cars required this year,

as the hon. the First Minister had just explained, furnished and not charged to the working expenses of the road, but to capital account. With all these advantages and with the advantage of a new road, with the capital account still opened, to which nearly one million was charged on the new portion of the railway in this year's accounts, and with the advantage of a new road and new rolling stock, and a depreciation in prices, we might naturally look for very favourable results, and a very favourable comparison at the present time; but the Superintendent as he thought with his usual acumen and wisdom in dealing with such matters, states that he would not make any comparison this year. He thought that Mr. Brydges had exercised a good deal of wisdom in this, because he had no hesitation in saying that notwithstanding that this gentleman had almost adopted Talleyrand's maxim of using language to conceal his thoughts, and notwithstanding the fact that a great deal of the information which ought to be contained on the face of the Superintendent's report and that of the officers under him, that had been put before the House, and which was not to be found there, there was nothing in these reports which were now submitted by the hon. the Minister of Public Works, and in the supplement which he (Mr. Tupper) would furnish from the Public Accounts to that, to show that all the odium which was thrown upon the management of the Intercolonial Railway under Mr. Carvell had been renewed; and to show that the comparison of the operation of the Intercolonial Railway under the present Government would not only not compare favourably with the management under the previous Administration, that a condition of things was presented of the most serious character, and sufficiently so to attract the careful attention of every public man in this country, and of every person who knew what it was to have a great public work, which had involved a great annual expenditure upon the country. Mr. Carvell was removed from his office because he consumed 114½ per cent. of the earnings of the road in operating it. Mr. Carvell's management was considered bad, and

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yet, with all these advantages in Mr. Brydges favour, what did they now find? That with all this fall in prices of stores the working expenses of the road had gone up, not to 114½ per cent. of the earnings of the road, as they were under Mr. Carvell's management, but they had reached the figure of 143 per cent. of the earnings. He had had a great deal of occasion to find fault with the mode in which these Public Accounts were made up; and unless an uniform system was adopted in submitting these accounts to the House, all confidence would be destroyed in them, and no proper comparisons could be made; and the people would come to look at these reports as calculated not to give accurate and just information, but to mislead. He had said that the expenses of the road, according to Mr. Brydges' report, were 127 per cent. of the earnings; and according to Mr. Cartwright's account, 143½ per cent. According to this statement of the account, \$200,000 was allowed for renewals, and this fell far short of the fact. Had any question ever arisen in the House as to the propriety of charging the renewals of the railway to the current expenses? He thought that hon. gentlemen opposite would be obliged to say no. He thought they would be obliged to say that one question which they had all agreed was that every dollar's expenditure on these railways should be charged to the working expenses of the road for the year in which those renewals were made.

**MR. CARTWRIGHT: No.**

**MR. TUPPER:** The hon. gentleman said "no;" but he would give the hon. gentleman his own authority. He might state from the outset, that every dollar of the renewals under the late Government were charged to the working expenses of the year in which those renewals took place; but in order to set at rest all questions on this point, and to show that one of the charges that they had all agreed, and which the late Government, by its practice, by its declaration to the House, and by its rates for this service and expenditure showed was that this should be charged to that service; and not only so, but he



would give the Committee the declarations of the hon. the First Minister himself and of the hon. the Minister of Finance on that point, and this he thought quite conclusively. He held in his hand an extract from *Hansard* of the 25th of April, 1877, and by referring to page 1831 it would be found that on a vote for 700 new cars, sheds, etc., to be charged to capital, the hon. the Minister of Public Works said:—

“This expenditure was wholly made on capital account. The renewals on the road were paid out of its revenue and charged to income. When roads were once completed, it was assumed that the capital account was closed. A portion of the cost attending change of guage had been charged to income, and a portion to capital. The relaying of the steel rails was charged to income and taken out of the annual vote.”

He thought this would satisfy the hon. the First Minister not only as to the practice of the late Government to charge every dollar of that service, to the extent of something like \$300,000 in a single year, or a little short of it, to that service, but that his own authority in the most authoritative form was given to the House as to the proper practice in relation to this matter. He would give, in addition, the statement of the hon. the Minister of Finance on the same point; and a very important one it was. What did it show? In his Budget Speech of 1876, page 243 of *Hansard*, the hon gentleman said:—

“With respect to the operation going on of substituting steel for iron rails, that is, I think, an item properly chargeable to income, and is intended to be. I am somewhat particular in making this statement, because, as the House knows, we feel it incumbent upon us, as we are compelled to keep both a capital and ordinary account, that we should be very scrupulous as to what we allowed to go to that capital account.”

If he quoted to the House, not only the authority of the hon. the Minister of Finance, to show that in a proper account they must charge the increase with all the money spent in renewing with steel rails, but the authority of the hon. the Minister of Public Works himself, in whose Department it was,

who made the declaration and gave the assurance to the House that this should come out of the annual vote, it could be found by reference to this account that this had not been done, and instead of the practice of the late Government having been followed by charging the renewal with steel rails to this account,—in the first place it was almost impossible from Mr. Brydges' report to find out what was expended for that purpose, at all, during the year, but, when they supplemented his statement with the statement of the hon. the Minister of Finance, that \$200,000 in addition to the amount stated to have been expended in this report, on the working expenses of the road, charged to the working expenses, must be added, for the portion of the steel rails charged for that year, and found, in addition to that, that a suspense account, for the steel rails to be charged over two successive years had to come, it would be found that the practice followed by the late Government, and laid down by the hon. the Finance Minister, as the same practice, and declared by the hon. the First Minister to be the practice which this Government would pursue, had been changed; and that, instead of this account showing the money that was expended in maintaining the railway, and in the maintenance of it in the same way as the past Government showed it, \$200,000 had to be added to the ordinary expenditure, in the first instance, and \$343,000 had to be added to that. The account, therefore, would stand, when made out according to the way in which the late Government made it out, and in which it was necessary to make it out in order to institute any comparison by referring to Part 1st of the Public Accounts of this year, page 23, thus: that the Intercolonial Railway expenditure for this year was \$1,161,673.55, and that their receipts were \$1,154,455.35. Before he came to this he must deal for a single moment with the mode in which this expenditure was made. He would show the Committee that, instead of Mr. Brydges having carried out the system of retrenchment, in regard to salaries paid to the officials, and

instead of—as he (Mr. Brydges) had led them to suppose—a saving of \$17,000 having been affected by allowing him to dismiss officials and to reduce the expenditure, the contrary was the case. Although as he (Mr. Tupper) had stated, Mr. Carvell was labouring under this difficulty: he had just been called upon to amalgamate two independent systems of railway in Nova Scotia and New Brunswick. Mr. Brydges undertook to state that he could make a reduction of \$17,000 in the annual expenditure; but what were the facts as detailed by these accounts? These showed that this reduction of expenditure meant the getting rid of officials appointed by the late Government and the appointment of new officials in their places by the present Government. These documents proved that instead of their being any reduction, not only were all the places filled that were filled under the late Government in connection with the management of the railway, but that a large number of additional officers had been charged upon the public revenue of the country in addition to those who were required before. He might be told that a large portion of the new road had been opened, but he would deduct this and take it out of the account, and account for all the officers required in addition to those that were then engaged. He would take out of the account all that were required for the new stations opened on the railway, and he would still show that, not only had the pledge to retrench the expenditure in this matter entirely failed of accomplishment, but that Mr. Brydges had found it necessary largely to increase the expenditure in salaries, and for officials, over what he found it under Mr. Carvell's management. It would be found that in three years all these officials had been replaced, and more added, making an increase in salaries in the Superintendent's and in Assistant's Department, of \$10,000, and an increase in the Engineer's Department of \$4,060. He would draw the attention of the committee for a single moment to a paragraph in the report of Mr. Brydges, recommending, in 1874, a reduction in the Engineer's Department. He said, at page 59:—

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“The Engineering Department to be under Mr. McNab \* \* \* His staff to be a draughtsman and one clerk.”

It would be found that instead of this being the case, two assistants that were then in the office were removed. One of them was a gentleman whose services the city of Montreal was glad to obtain in an important engineering capacity. These gentlemen were Messrs. St. George and Gray; they were assistants in the Engineer's Department; and they were both cashiered and sent about their business on the plea that there was to be a reduction in the expenditure; and yet, on looking into the system of the department, a large increase was found of \$4,060 over what it was when Messrs. St. George and Gray were there. The cost of the service which these gentlemen had been called on to perform, and which they would have performed, had not only been extended—the expenditure had not only been incurred which would have been incurred by their employment—but at this moment there was in the Engineer's Department an increase of \$4,060; in the Cashier's \$300; in the Paymaster's \$1,200; in the Mechanical Department, of \$2,040; in the Stores Department, \$1,918; in the Accountant's and Audit Department, \$6,000—an increase in these offices, to which Mr. Brydges had called the attention of the Minister of Public Works, of \$28,000 over the amount expended previous to the time when Mr. Brydges had been called to take charge of the Department.

**MR. CARTWRIGHT:** There is twice as much work.

**MR. TUPPER:** The hon. gentleman was entirely mistaken. The opening of a new line of railway for which the capital account was not yet closed, on which a million was expended on capital account last year, involved, comparatively, no additional expenditure for the past year, because it had the staff—and nearly the same staff was required in reference to these accounts—and everything of that kind that was required for the expenditure of the opening of the additional new piece of road. The salaries and travelling expenses in 1877 were put down at

\$211,625; the sum expended in 1874 was \$142,600, or an increase of \$69,025. He deducted all the salaries required by the opening of the additional road, which amounted to \$31,156, and, therefore, instead of the reduction of \$17,000 which Mr. Brydges had promised, there was an increase—not only had the \$17,000 promised reduction been swallowed up, but there was also \$37,867 of increased expenditure. The hon. the Minister of Finance and the hon. the Minister of Public Works would not find, in connection with the opening of a portion of the new road, any sufficient justification for this increase. No railway expert in the world who could be brought to give testimony in reference to the matter would consider that any ground whatever. He (Mr. Tupper) did not say that the salaries paid were too high, but that the gentleman called upon to make a report on the road had made a great mistake, according to his (Mr. Tupper's) judgment; and he was compelled, from a sense of justice to the late manager and to his colleagues who had been deeply injured at the time by the report then made, to draw the attention of the House to the fact that at this moment, after four years' experience, all the claims of reduced expenditure which Mr. Brydges led the Government to believe he would be able to make, had he charge of the road, had proved a delusion, and the relative expenditure had, on the contrary, been very much increased. The same thing would be found, on going into an investigation of the expenditure on the operation of the road. The fact was proved by Mr. Brydges' report that the stores had cost, during the past year, on an average only one-half the amount paid in 1874. Taking that fact into account, and doubting, therefore, the amount of expenditure for stores during the past year, and making the expenditure for renewals in the same way as it had been made by the late Government, the expenditure per mile was largely in excess of what it had been since the road was opened. What was the result of all this? It was a very serious one. He did not bring this matter up as involving a charge

against the Superintendent. All that he blamed him for was that he was mistaken when he was called on to investigate the position the road was in under the late Government, and the misapprehension he had placed the Minister of Public Works under in relation to this matter. The House would remember that a year ago, when the hon. the Minister of Public Works was dealing with this question, he made to the House the most gratifying statement, that after having opened the whole length of the Intercolonial Railway the result of the entire operation, including the old and the new portion at the close of the six months, showed that the expenditure had only exceeded the income by \$13,000.

MR. CARTWRIGHT: That only referred to ordinary expenses.

MR. TUPPER: That had reference to everything.

MR. MACKENZIE: I stated explicitly, not only that, but that these were the six months which were the most profitable. That the six months to come would show a very different result. That was only as against ordinary working expenses—not including other items at all.

MR. TUPPER: If the hon. gentleman meant to make a statement to the House other than that embracing the whole expense of the railway, he made a most unjustifiable one. If the statement that the result of the operations on the whole of the Intercolonial road, after its completion at the end of the first six months showed only a deficit of \$13,000, did not cover all the expenses chargeable to income, the House was misled; a more delusive statement could not possibly be made. What expenses did he mean to include? By income and expenses were generally meant all the income and all the expenses chargeable to income. Would the hon. gentleman explain what he was keeping back? He (Mr. Tupper) had risen in his place and had congratulated the hon. the First Minister on that very gratifying statement, as recorded in the *Hansard* of last year, that the excess of expenditure at the end of six months was about \$13,000. On page

1592 he stated that the low cost of working the Intercolonial was no doubt due to its excellent construction.

MR. CARTWRIGHT: Will the hon. gentleman allow me to call his attention to statements made by himself in the Budget of last year, page 139 of the *Hansard*. The hon. gentleman asked me: "What do you estimate the cost of working the railways above receipts." I replied: "The dead loss to us was, in all, \$550,000, including the cost of running the Prince Edward Island Railway, which would amount to above \$100,000." My hon. friend will understand we anticipated a loss of half a million dollars on the Intercolonial.

MR. TUPPER said he had not been misled by the statement. He knew enough of the working of the Intercolonial Railway to know that it was simply impossible that that would be the result. He (Mr. Cartwright) was then speaking as Minister of Finance with reference to general public accounts. But when, at the close of the Session, the Finance Minister was asked what the result was up to the end of the first half year, he gave the answer already quoted. It was quite true the hon. gentleman qualified the statement by saying, what all knew, that it was the best half of the year up to the end of December; but the statement remained that at the end of the first six months the expenditure of operating the railway was only \$13,000 over receipts. He (Mr. Tupper) congratulated the hon. gentleman on that result, because, as he (Mr. Tupper) had said, and the Superintendent was in the House with-in hearing of his voice at the time, if at the close of the six months following the opening of the new road, there was only a deficit of \$13,000, it was perfectly obvious to every one that as soon as the traffic along the road began to develop, as soon as the advantage of the road became known, there would be a considerable surplus. In *Hansard* of 1877, page 1,590, it was stated by the hon. the Minister of Public Works:

"The total earnings in 1874-5 were \$861,513.93, and in 1875-6, \$848,861, being a decrease of about \$13,000. In 1874-5 the expenditure was \$850,775, and in 1875-6,

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\$877,485. In computing the revenue he left out Quebec. For the first half of the current year, the excess of expenditure over revenue was about \$13,000.

If that, taken in connection with the statements in relation to it, meant anything else than the whole expenditure of operating the road, the House was misled. He believed the hon. gentleman was mistaken; it was utterly impossible; but he confessed he was not prepared for the startling evidence that the close of the year—the remaining six months—would bring about. It might be true that the most expensive portion of the year was still to run, but taking into consideration that the months of April, May and June, were included in the last half year, and that December and November went into the first half-year, there ought not to be a great deal of difference. But admitting that we had been prepared for a much less favourable result at the close of the year, who would have supposed that the Government would have had to ask this committee to-night to meet a deficiency much nearer a million than \$13,000? What was the exhibit? Those who looked at the Public Accounts would find that the expenditure, put down on page 23 of the Intercolonial Railway, was \$1,161,673.55; that the receipts for the same period were \$1,154,445.35, showing a deficit of \$507,228.20, and to that would have to be added, to make this account, as rendered by Mr. Brydges and presented by the First Minister to this House four years ago, correspond with the account as kept by the late Government, in order to obtain the whole expenditure, \$343,591 put away in the Suspense Account but chargeable to these renewals which the hon. the Finance Minister declared must be charged to income, and which the hon. the Minister of Public Works declared must come out of the annual vote. The hon. the Finance Minister remembered well that when he (Mr. Tupper) had said, the other night, to the hon. the First Minister that he supposed they had put down a larger quantity of steel rails last year, because they had them on hand, he indignantly repudiated the insinuation, and stated that the policy of the old Government in relaying the

track with steel rails had been followed, and that not a single rail had been put down beyond what was required to uphold the road. He (Mr. Tupper) found this deficit, instead of \$26,000, which it would have been according to the boastful statement of a year ago, amounted to \$850,719.20 on the working of the Intercolonial for the year ending 1st July last. Add to that \$97,930.33 for the Island Railway, and what was the result? There was a new road, only fairly completed, of which the capital account was still open, and of the expenditure of which \$200,000 had been last year charged to capital account, and yet, during the past year, on this new road, the Island Railway, a road a little longer than 200 miles, running through a level cultivated country, there was a deficit of \$97,930, making a deficit on the two lines of railway, under the management of the present Superintendent of Railways, to be met and provided for, of \$948,649 for the year ending the 1st July last, or, practically, a million dollars. They had reason to look for a better result, and he (Mr. Tupper) would be doing an injustice to himself and his colleagues, and an injustice to the late manager of the Intercolonial Railway, if he did not take this opportunity of showing that in the light of subsequent events—and, mark, all this had taken place, all this enormous deficit on these railways, during the past year, notwithstanding that Mr. Brydges had declared in his report that the supplies and stores which were the principal item in this heavy expense, the coal and iron and every thing connected with the supplies of this railway, had cost fifty per cent. less, during the past year, than during 1874. Well, that would seem at first sight a very startling discrepancy in the cost of stores, but those who remembered the statement made by the hon. the Finance Minister the other night, would, at once see that startling as it was, it might be quite explicable. He (Mr. Tupper) had called the attention of the Government to the fact that American goods were being allowed to come into competition with our manufactures, invoiced at too low a rate, which was met by the hon. the Finance Min-

ister with the statement that an enormous shrinkage of value had occurred in most goods, that in a branch of the iron trade to which his attention had been drawn, there had been a fall from 137 to 55, making a very much greater change than what Mr. Brydges had shown in his report, namely, that there had been a fall of fifty per cent. Mr. Brydges had shown by a tabular statement that the average cost of the stores in 1877, was one half the amount paid by Mr. Carvell in 1874. That being the case, his expenditure for stores last year, instead of being \$1,171,000 would have been doubled, say \$2,200,000, had this depression of trade not taken place, and had he been obliged to pay the same prices as Mr. Carvell had paid in 1874. And, yet, notwithstanding that enormous advantage, and notwithstanding the advantage of having a capital account from which to obtain a large portion of the rolling stock required, and everything of the kind, there remained the startling fact that on the Intercolonial Railway and the Island Railway, there was a deficit of within nearly one million dollars. He would not take up the time of the Committee longer in dealing with that question. He had not had any other desire than to do justice to the late Superintendent who had been unjustly treated in the report made of his management, and who was not here to defend himself, and also, not unnaturally, to show that the hon. gentlemen opposite could not plume themselves on having better managed the Intercolonial Railway under their administration of public affairs, than their predecessors. He would not continue further than to express the hope that the trade would largely increase, which would, no doubt, occur now that these roads were connected with the great railways of the West, and that every possible economy would be used. He had not charged any recklessness or extravagance in the management. He wished the hon. gentleman to understand that. But it behoved them to look the question fairly in the face, considering the position in which they were placed, according to this report, and to endeavour by every means to increase the traffic and produce better results.

One of the complaints which Mr. Brydges had made against the late Government was, that they were carrying our people down in the Maritime Provinces, under their system, for almost nothing. He undertook to remedy all that. He (Mr. Tupper) ventured, at that time, in the House to show that Mr. Brydges was under a false impression when he stated a larger revenue could be obtained by increasing the tariff, and that, on the contrary, there would be a decrease. That had been tried in Nova Scotia again and again. He (Mr. Tupper), as the hon member for Halifax knew, had tested the question thoroughly, and knew that Mr. Brydges would find out he was wrong. When Mr. Brydges found out he was wrong, he did that which was creditable to him; he changed the system, and came back to the tariff prepared by Mr. Carvell, as the one calculated to give the best revenue. But, in the meantime, the trade of the country had been convulsed, the traffic had been diverted from the road, and the people had gone back to the old system of travel, and had purchased horses and waggons to carry their produce to market; and, though the tariff had been wisely put back to the position in which Mr. Brydges found it, after he found he was losing at the rate of \$100,000 per year under his new arrangement, the former traffic had not yet returned. There were people now travelling with horses and waggons who would not have purchased them had it not been for that increase in tariff. A great injury had been inflicted on the people, both of Nova Scotia and New Brunswick, and a large amount of revenue was lost to the country through this change of tariff, which had not yet been repaired. He trusted that every means of attracting traffic to the road would be adopted. A great deal of attention had been drawn all over this country to the importance of making Halifax a winter grain port. He (Mr. Tupper) might as well proceed to say what he had to say about all these questions connected with the Intercolonial, so as not to prolong the discussion at a later period. He could not, at this period of the Session, do justice, with

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a due regard to the anxiety of hon. members on both sides to get through with the work, to these very important questions. The people of Canada had been looking forward to having a great Atlantic winter port, not only for passengers and mails, but also for freight, when this Intercolonial Railway should be constructed. And he was sure that they must all desire to see the mode and business of Canada utilized in building up a great Canadian port instead of an American port, as, unfortunately, hitherto had been the case. He could not say whether that could be done or not, but every means that could be adopted to bring about so important a result should be adopted. He was informed that the Government and Mr. Brydges asked the merchants of Halifax why they did not bestir themselves and build elevators and so prepare to build up their business. That, however, he believed was not the way in which American ports had been generally built up, but that it was the railway companies who had chartered the steamers and made the arrangements to take the freight in Chicago and send it forward. When the late Government went out of power they were making arrangements to bring the Intercolonial Railway into the city of Halifax. They had hoped to be able to go through the dockyard. The station at Richmond was left unrepai red, because they hoped to get into the city. Having, however, failed to obtain the right to take the road through the dockyard to West's wharf, in the business part of the city, every effort having failed in that direction, the late Government determined to have the road brought through Water street to West's wharf. Unfortunately for the country they went out of power rather unexpectedly; a new *regime* came in, and Mr. Brydges went down there, and with that plausibility which scarcely another man in this country possessed induced the Chamber of Commerce to agree to a change in the scheme of the late Government under which they had arranged to appropriate the houses on one side of Water street.

**MR. MACKENZIE;** Where can that scheme be seen?

MR. TUPPER: In the report of Mr. Fleming approved by us and approved by the City Council of Halifax.

MR. MACKENZIE: Was it approved by the Privy Council?

MR. TUPPER: It was, and speaking from memory I think an item was put in the Estimates for a sufficient amount to carry it out. I know it was the settled policy of the Government at that time, and that we were engaged in the expropriation of the property on Water street with that end in view.

MR. MACKENZIE: How much was expropriated? If we have any land there I would like to know it.

MR. TUPPER said the late Government were engaged in arranging that when they went out of power. Mr. Brydges induced the Chamber of Commerce to consent to a change in the scheme on a declaration that if they consented to have the terminus not at the water side where it was to have been brought, but at some distance from it, the Government would at their own expense provide steam communication to carry freight to the city—which had never been carried out. That scheme was unfortunately adopted, and what was the result. What had been expended in carrying the railway into Halifax? About three quarters of a million, he believed.

MR. MACKENZIE: About \$700,000.

MR. TUPPER said that \$700,000 had been practically thrown away. It had been expended in bringing the railway about a mile further into the city, and in the construction of a station and a freight shed. In the enormous expenditure thus made there was no provision made for the freight being brought further than Richmond. From all the western portion of Nova Scotia, all the freight which came by the Windsor and Annapolis Railway had to stop at Richmond, and the merchants had to send up for it, as the new station was only sufficient for the traffic of the Intercolonial itself. When the question of a winter port became a living question, a meeting was held, which was attended by Sir Hugh Allan, who stated on what terms

his company would take the freight from Halifax; and the first condition required was that the railway must be brought down to the water. After an expenditure of \$700,000 they were unable to deal with this question of a winter freight port, because they had no communication with the water at the city, and one of the first duties that would devolve upon the incoming Administration would be to remedy that difficulty. In supporting that, he was sure he would have the assistance of the hon. the Minister of Militia. This, however, was not the only complaint which he had to make against the Government in relation to the management of the Intercolonial Railway and its adjuncts. Let them take, for instance, the position in which the western portion of Nova Scotia stood to-day. Nova Scotia obtained the Windsor and Annapolis Railway, 85 miles in length, by granting a large subsidy out of the public money, and by providing by law that that railway company should have running powers over the Windsor Branch and main line of the Intercolonial into Halifax, some 45 miles. The late Government gave the Windsor and Annapolis Railway a 21 years' lease of the Windsor Branch, on the condition that they paid one-third of the earnings to the Government. They failed, however, to pay that third of the earnings, and the late Government having given them notice that they would cancel the lease if they did not comply with the terms, passed an Order-in-Council just before going out of power, cancelling the lease to the Windsor and Annapolis Railway Company, and agreeing to transfer the line to the Western Counties Railway upon evidence being furnished that they could complete the railway from Annapolis to Yarmouth. The late Government had never contemplated giving to the Western Counties Railway what they did not possess. They had no power to take away the running powers of the Windsor and Annapolis Railway over the Government Railways in Halifax. This right was guaranteed by an Act of Parliament, without which the money could not have been obtained to build the road. If the hon. the First Min

ister desired to hand over the fee simple of the road, he must do it subject to the law of the land, as by an Act of the Legislature of Nova Scotia the right to run had been previously transferred. In 1875, the Minister of Public Works renewed the lease with the Windsor and Annapolis Railway Company. He had passed an Act giving him power to transfer it to the Western Counties Railway Company; but, with that on the Statute-book he renewed the lease, making an engagement with them to change their gauge, involving an expenditure of \$50,000 or \$60,000, and making a binding contract with them renewing their lease. Notwithstanding this, Mr. Brydges was authorized to go by force of arms and wrest that line out of the hands of the Company which had it under lease from the present Government, and on the faith of which they were induced to change their gauge, and hand it over to the Western Counties Railway. In England the Government of Canada had been held up to public obloquy, for having induced men to come into this country and spend money on the faith of an Act of Parliament which had been disregarded. The best English advice had been obtained, and the Windsor and Annapolis Railway had taken this case into the Court of Chancery, in Nova Scotia, and the Judge in Equity had given judgment that the Government had violated their lease and exceeded their powers, and that the Windsor and Annapolis Railway Company had, at present, the right to running powers over the road, which was given to it by Act of Parliament. He had, in his possession, extracts from the *London Times* in reference to the bad faith shown to capitalists by the Government of Canada—a most damaging thing to be going about in the journals of Great Britain. The Western Counties Railway Company had failed to build the road from Yarmouth to Annapolis. They had, however, possession of the link between the Windsor and Annapolis road and Halifax, and the result was that the whole business of the western portion of Nova Scotia was paralyzed; as any man sending cattle, for instance, or freight of any kind, from Annapolis to Halifax, found

that he had to deal with two companies, hostile to one another, and the whole country was, therefore, suffering from this unfortunate and illegal transaction on the part of the Government.

MR. MACKENZIE said he supposed they must make up their minds for this annual tirade against the management of the Intercolonial Railway.

MR. TUPPER said the hon. the First Minister could hardly say that, since he had complimented him a year ago in the highest terms.

MR. MACKENZIE said the hon. member had to make his annual speech on this subject, and of course he felt a little sore over the events of 1873, which still rankled in his mind and compelled him to give his feelings vent occasionally. He was glad to find, however, severe as had been the hon. gentleman's criticism, that he had admitted that the railroad was admirably managed. The hon. gentleman had no fault to find, no extravagance to charge, but he simply asserted that the hopes held out in 1873-4 had not been fulfilled. He (Mr. Tupper) had shown a remarkable degree of disingenuousness in his treatment of the subject. The hon. gentleman said that he (Mr. Mackenzie) assured the Committee last year that there was only a deficiency of \$13,000 upon the entire half-year's operations. If the hon. gentleman had read carefully that passage, a portion of which he had read, he would have shown to the Committee that he (Mr. Mackenzie) did not mean and could not mean anything but the working ordinary expenditure. He pointed out then that the total earnings of the year 1874-5 were \$861,593, and of 1875-6, \$848,861, being a decrease of about \$13,000. In 1874-5 the expenditure was \$850,775; and in 1875-6, \$877,485; which figures did not comprise the expenditure for renewals. He recollected entering upon the points as to the life of steel rails as compared with iron rails, and giving that as a reason why the Government were justified in extending the period by creating a Suspense Account, for charging the rails against the revenue of the road; and he pointed out, as he would now point out, that it would be a manifest injustice to charge against the

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ordinary expenditure of one year, the whole expense of the steel rails which were laid, because that would bring the expenditure for rails within two or three years, while the life of steel rails was expected to be fifteen years at least. The entire expenditure for steel rails on the line was as follows:—In 1871-2, when only half a mile was laid, \$3,825; 1872-3, 10 $\frac{1}{4}$  miles laid, \$82,510; 1873-4, 37.13 miles, \$284,985. This was the year before the present Government acceded to office; in 1874-5, 40 $\frac{1}{4}$  miles, \$275,000; 1875-6, 35 $\frac{1}{2}$  miles, \$191,700; and in 1876-7, when the entire quantity of rails was procured with which to renew nearly the whole line, 111 miles, \$549,450. The hon. gentleman said that the deficit for the year was nearly \$1,000,000. How did the hon. gentleman reach that? By adding in the entire amount of the Suspense Account, which the Government had created in order that it might be distributed over a number of years. The hon. gentleman had no right to do that. The hon. gentleman had gone on to show that he (Mr. Mackenzie) had stated that all renewals, after the road was completed, should be charged to revenue; and he had endeavoured to deduce from that an unfair conclusion, namely, that everything bought in one year should be charged to one year's revenue. He (Mr. Mackenzie) had given reason, three years ago, and also last year, for the course the Government proposed to pursue, and the House accepted those reasons. It was the accepted policy of the Government and the House that they should extend the period of payment and of charging the ordinary revenue over a number of years. Whether that policy was right or wrong, it was the policy the House had deliberately adopted, and which the Government had sustained all through. With regard to the working of the road, the hon. member maintained that a road 750 miles long, could be worked at the same expense as one 332 miles long.

MR. TUPPER: No.

MR. MACKENZIE said the hon. gentleman said "no;" but he appealed to every hon. member present who heard him, to say if that statement was not true.

MR. TUPPER: I did not say the expense of working a road 700 miles long was the same as one 300 miles long. I said the expense of the staff would not materially differ.

MR. MACKENZIE said that was a distinction without a difference. The Engineer's staff was part of the working expenses of the road. He appealed to any practical man to say if the mileage of the road was not the criterion for the Engineer's expenditure. The Engineer or his assistant must travel over the road and see every portion of it. Besides, the Government had undertaken, rightly or wrongly, to do an immense amount of their own work on the line, rebuilding engines, building cars, making their own sidings, etc., and a great amount of work was involved in this. He maintained that instead of the expenditure having been excessive it was unusually less in proportion now than it was four years ago. So true was this that he was amazed that the hon. gentleman had ventured to institute a comparison which must redound so much against himself. The hon. gentleman had shown that though the mileage had been doubled, the increase in the Departments had been very slight indeed. But the best evidence that the management was more successful than it had been before was the fact that the traffic was carried more cheaply per mile than it had been in 1873-4. When the present Government took charge of the road the cost of working per mile was \$3,839.38, while last year the entire cost was \$2,327.27 a decrease of \$1,500 per mile. But he would apply another criterion. There were a certain number of trains passed over the road daily and yearly, and an exact account was kept of the expenditure involved in working those trains. The cost per train per mile, in the year, before he (Mr. Mackenzie) had taken charge of the department was \$1.02. Last year the cost was 82c, or a decrease 20 per cent. Not only so, but in consequence of the track being better attended to, in consequence of better management, they were now able to take a larger number of cars per train than before, so that if they attached only the same number of cars to each engine, the train mileage would, per-

haps, be as low as 75c, or a decrease of over 25 per cent. In 1873-4 three track-masters were sufficient for the road; now seven are required, the mileage was so large. At Rimouski pier there had been a great expense in order to meet the convenience of the public by a prompt delivery of the English mail east and west. There had been every effort made to meet the public convenience, and he ventured to say that there was no railroad upon the continent of America at this moment more thoroughly equipped and better worked than the Intercolonial Railway. There was one very amusing error in the hon. gentleman's calculations as to the cost. He would not say anything about the hon. gentleman's percentage as his hon. friend beside him had taken that yoke from him, but he would say that in his estimate of expenditures the hon. gentleman had included the wages with the stores. There had been no decrease in the wages. The hon. gentleman had taken the gross sum and pointed out that they cost 100 per cent. more in 1873-4 than last year, but he embraced wages in this statement, and the hon. gentleman knew that wages had not decreased. On the contrary they had somewhat increased.

MR. TUPPER: Wages?

MR. MACKENZIE: Yes.

MR. TUPPER: I will undertake to say that the Superintendent will tell the hon. gentleman that he cut down the pay of the labourers.

MR. MACKENZIE said that the wages of the labourers had remained precisely the same as they were, and this was also the case with the mechanics he presumed. He thought so, but there was an increase in the wages of the staff. For instance, Mr. Luttrell had now a considerably larger salary; Mr. Whitney had a larger salary; and also Mr. McNab. He was receiving for the first two years that he (Mr. Mackenzie) had had control over the road, \$1,000 a year from the Nova Scotia Government, as their consulting engineer. He declined to allow this arrangement to continue after they had an additional roadway ready for opening, and he (Mr. Mac-

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kenzie) gave him notice that it should terminate, and his wages was increased in their service by the amount received from the Nova Scotia Government under the arrangement made some years before. The wages he believed of many of the station-masters were more or less increased, and those of the telegraph operators and train-despatchers were increased, so that there was in the expenditure for salaries and wages a very considerable increase, though he dared say that the percentage distributed over the whole of the work would not be large; but there was an increase to a greater or less extent; and yet the hon. gentleman classed this item with the stores, and pointed out a decrease of 100 per cent., or rather, that there had been a decrease since 1874, and that it was, in 1874, higher by 100 per cent. than in 1876. The hon. gentleman had made this evening a speech, partly in revenge for former alleged injuries; a speech partly of a political cast; a speech that looked to another contest in Halifax; and a speech that looked to a political contest in the western counties of Nova Scotia. The hon. gentleman had endeavoured, as far as he could do by his speech, to influence the feelings which were excited in that quarter at the present moment, in consequence of the derangement of the railway traffic. In going into this matter, he accused this Government of not having paid sufficient attention to the extension of the road into Halifax; he went on to show that the late Government had made arrangements for such extension along Water-street to West Wharf. How far this was beyond the present station he (Mr. Mackenzie) did not know.

MR. TUPPER: It is very near the station.

MR. MACKENZIE said that his hon. friend (Mr. Jones) told him that the distance was less than a quarter of a mile. The hon. gentleman told them—and he confessed that he heard it with amazement—that the late Government had taken a large vote for the purpose of carrying the road to this point, and that they had commenced to expropriate the property on the left or water side of Water-street. He

interrupted the hon. gentleman to ask what property was so expropriated, because it was the first time that he knew that they owned any property near the dockyard on that side of the road; and he thought it was high time to look after it. The hon. gentleman then said that, perhaps, it was not wholly expropriated, but they had taken steps towards it and got a report; that a report was submitted to Council, and an Order-in-Council passed, providing for this expropriation. This was all news to him. If there was an Order-in-Council, it had never been brought to his notice by any one. If there was such an intention as to purchase to West's Wharf, it was never declared in this House; and if the late Government obtained a vote—which they did—of \$250,000 in the Session of 1873, to purchase this property, he was tolerably certain that no indication was given to Parliament of the purpose for which this was to be expended.

Mr. TUPPER: It was for the purpose of carrying the road into Halifax.

Mr. MACKENZIE: Of course that was the whole statement; but would the hon. gentleman say that any statement was made in Parliament that this was for the purpose of going beyond the dockyard as far as West's Wharf? Will he say that they were then taking steps to expropriate this property? In the spring of 1873, when the Estimates were being pushed through the House, the hon. gentleman must have been in a position, if at all, to make this statement. Was the statement made? Was Parliament informed of this intention?

Mr. TUPPER: Yes; I will tell the hon. the First Minister that the hon. member for Halifax, on the floor of the House brought the question up, and I stated then, as to night, that it was decided after communication with the citizens of Halifax, to go into Halifax and provide that.

Mr. MACKENZIE: Who was the member for Halifax?

Mr. TUPPER: Mr. Jones.

Mr. MACKENZIE: He was not here.

Mr. TUPPER: It was then at a previous date. I explained it to the present Minister of Militia. I remember distinctly that this hon. gentleman brought up the question, and my having stated that I would not say exactly the time; and I will undertake to show, from the record, that I made the explanation that having failed to get to the dockyard outside we would go to West's Wharf; and I think that he will recollect the circumstances.

Mr. MACKENZIE: Does the hon. gentleman remember having applied to the Imperial Government for the dockyard?

Mr. TUPPER: Yes.

Mr. MACKENZIE: And being refused?

Mr. TUPPER: Yes.

Mr. MACKENZIE: Is the hon. gentleman quite sure of that?

Mr. TUPPER: We not only applied to the Imperial Government, but delegated Mr. Archibald, when in England, to make a personal application to the Lords of the Admiralty, which he did. We took every means to accomplish the design.

Mr. MACKENZIE said that this Government had gone through that process; and he was not aware, until this moment, that the hon. gentleman and his friends announced their intention of securing the property beyond the dockyard for the purpose of the railway; or that they had taken any steps with the corporation to secure the right to carry the road along Water street, and the hon. gentleman knew that he could not do this without the consent of the corporation. No step that he was aware of had been taken in this regard. The hon. gentleman now, after the Government had expended a large sum of money in carrying the road into Halifax, on a plan which he (Mr. Mackenzie) ventured to say, was entirely satisfactory to the business men of the city, as many of them told him, and as they put it in formal shape, in fact, by requesting that this should be done. He was surprised now to hear the hon. gentleman, for the sake of making the little political capital which the hon. gentleman

thought it would make, endeavour to influence the minds of the people there.

MR. TUPPER: No, no.

MR. MACKENZIE: "No, no," the hon. gentleman said. Why, the hon. gentleman said it would be one of the first tasks of the incoming Administration to carry the road to this point.

MR. JONES: And bring back the workshops.

MR. MACKENZIE: And this was held out as a boon to the people of Halifax, just as the hon. gentleman had told them of his great bravery in daring Mr. Carvell to move the men or engineers out of the shop at his peril.

MR. TUPPER: Hear, hear.

MR. MACKENZIE said the hon. gentleman went down there as a sort of king, and as it suited his purpose at the last election to make a demonstration of his powers when Minister before the whole people of Halifax, the hon. gentleman declared his determination that not a man or shovel would leave these shops because he had resolved that they should remain at Halifax.

MR. TUPPER: Hear, hear.

MR. MACKENZIE: And now the hon. gentleman told them and the whole country, after an enormous expenditure had been made by the Government at Halifax to obtain a suitable terminus—and it was a suitable terminus—and after the enormous expenditure made at Richmond, where there was a splendid wharf fitted for the largest steamers that navigated the Atlantic Ocean, that they must and that he would purchase, if he had the power, all the warehouses and shops and streets that lay between the present terminus and this place called West's wharf, in order that Mr. Ritchie might secure more votes against his hon. friend the Minister of Militia. Why, if it were Parliamentary, he should say that this was one of the last acts of the demagogue. The hon. gentleman would venture in this way to endeavour to make a little political capital out of an ordinary discussion upon an ordinary item in the Estimates; but the hon.

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gentleman did not stop here. He said that the Government, by their mismanagement in connection with the Windsor Branch Railway, had thrown disorder and confusion into the whole of the railway traffic; that they had undertaken to do what was illegal; that they had been checkmated by the Court of Chancery, and that they had been held up by the English journals to derision because they had violated some of the vested rights held by English gentlemen or capitalists in Nova Scotia. Was it this Government who really did this? Was it this Government who in the first place cancelled the agreement? Why was the report made at an exceedingly ominous period? There was a memorandum dated the 21st of October, 1873, from the Minister of Public Works, submitting the accompanying proposal, made by the Western Counties Railway Company, of Nova Scotia, and recommended its adoption; and the Committee of Council advised that the accompanying proposal be adopted as recommended, subject to the approval of Parliament. This resolution was as follows:—

"Whereas, by resolution of the House of Commons, passed on the 23rd day of May, in the year eighteen hundred and seventy-three, it was resolved: That the Government be authorized to enter into negotiations during the Parliamentary recess with some reliable Association or Company, for the transfer of the railway from Windsor to the trunk line from Halifax to Truro, upon condition that such Association or Company extend the railway from Annapolis to Yarmouth, subject to the approval of Parliament at the next Session."

The late Government were to transfer the railway in this manner. Then there was an Order-in-Council of the 22nd of October, the next day, on the report dated the 21st of October, from the Minister of Public Works, stating that the Windsor and Annapolis Railway Company failed to operate the railway known as the Windsor Branch, contained in the Order-in-Council of the 22nd September, 1871, and to comply with the other terms and conditions of the Order in Council; that it owed now \$30,000 to the Government of Canada, and that though repeatedly called upon to pay, had

failed to do so; and recommending that, inasmuch as the said Company have failed to operate one of the railways between Halifax and Annapolis, the Government of Canada, known as the authorities by the said Order-in-Council, do proceed immediately to operate the railway between Halifax and Windsor. The Committee submitted the above, recommended by His Excellency the Governor-General. Then it was provided as follows: In the agreement made on the 20th of October,—the proposal was made by the Western Counties Railway, on the 20th October,—on the 21st it was formally accepted, because the Minister of Public Works took the necessary steps by making a recommendation to Council to have an Order-in-Council passed thereupon; and this agreement or proposal from the Western Counties Railway was as follows,—the proposal was embodied in it:—

“And whereas the Western Counties Railway Company have undertaken to build a railway from Annapolis to Yarmouth; and

“Whereas the said work has been undertaken and commenced in view of the provisions of the above resolution; and

“Whereas the said Company are desirous of having the said railway, in the said Resolution mentioned, transferred to them;

“The said Company therefore propose, for the acceptance of His Excellency the Governor-General in Council, the following terms of transfer, viz:—

“1st. The said Company will undertake to receive the said railway and appurtenances on the first day of December, Anno Domini, eighteen hundred and seventy-three, and from that date to work it efficiently, and keep the same in repair at their own proper costs and charges, collecting, receiving and appropriating to their own use all the tolls and earnings of the same;

“2nd. That on the completion of the Western Counties Railway from Yarmouth to Annapolis (now in progress of construction), the said railway and appurtenances from Windsor to the trunk line, shall be and become absolutely the property of the said Western Counties Railway Company;

“3rd. That in consideration of the premises, the said Company hereby engage to prosecute the work of building the railway from Yarmouth to Annapolis, and complete the same with all reasonable despatch.

“Dated at Ottawa, D.C., this twentieth day of October, Anno Domini, eighteen hundred and seventy-three.”

Then on the 30th October, there was a memorandum from the Minister of

Public Works, dated on the 29th October, 1875, as follows:—

“1st. That the Western Counties Railway Company shall carry free of charge, all passengers holding Government tickets, on all their passenger trains running between Halifax and Windsor Junction.

“2nd. That the said Company or their agents or assigns, shall have running powers over the Intercolonial Railway, between Halifax and Windsor Junction, with such privileges as have been hitherto granted in the agreement with the Windsor and Annapolis Railway.

“The Committee on the recommendation of the Minister of Public Works, respectfully advise that the terms of the above proposal be approved.”

The whole of the steps, except the final Act of Parliament which gave legislative effect to this agreement, were carried through by the hon. gentleman and his colleagues who undertook to criticise unfavourably this transaction. The agreement was this. Every word of it was truth; and yet the hon. gentleman ventured to attack this Government, and to appeal to the Western Counties of Nova Scotia, to operate against this Government politically, because he endeavoured to fasten upon this Government the weight of his transgressions, if it were a transgression; and more, the hon. gentleman he thought, if he would have perused the judgment of Judge Richie as he (Mr. Tupper) said he had, would find that this agreement which was cancelled by the late Government, on the 22nd of October, was held by the court not to be cancelled legally, and that it was on this fact that the entire judgment was based. They said it was not true that they ceased to operate the railway, and they appeared to have satisfied the Judge that this was the case; and although by a clerical error, or an error of the late Deputy Minister of Public Works, properly speaking, although in 1875 a temporary arrangement that he (Mr. Mackenzie) signed as Minister of Public Works was made to renew this lease, still such renewal in the face of the Act of Parliament was in itself *ultra vires* and could have no possible effect if the lease had been properly cancelled before; but it was because the lease was held by the Court never to have been properly cancelled, and that

the rights of the Windsor and Annapolis Railway Company existed still, as under the lease, that this judgment was given. This was the basis of the decision which the hon. gentleman tried to lay at their door, and this was a specimen of his fairness in debate. He had to say, in the first place, with regard to the extension into Halifax, that the expenditure of \$70,000 was not incurred in the purchase of the block of land to extend the buildings between Montreal and Richmond. It was spent to a great extent to build or rebuild between the wharves commenced at Richmond where the largest steamers could unload their freight if they pleased. Here it was that they proposed, if the Allan steamers could get winter freight over the railway, to have this freight transferred. It was not necessary at all for the through traffic that the steamers should go to West street or any place in that neighbourhood. Indeed, it would be extremely inconvenient that they should do so. It was much more convenient to load grain and flour and produce of that kind at Richmond, where the accommodation was ample. Indeed, the wharfage might be extended from Richmond all the way to Bedford Basin. It was one immense harbour for miles and miles, and the water side could be utilized for any number of elevators, freight sheds or wharves, such as that which they had erected; and when the hon. gentleman endeavoured to make capital against the Government for not having sufficiently studied the interests of the trade of the Intercolonial, and more particularly, as the hon. gentleman tried to make out, the trade of Halifax, he was acting, he (Mr. Mackenzie) thought, a very unworthy part as a citizen of Halifax, for he had met with the utmost expressions of good will from all the Halifax people for the efforts this Government had made—efforts which were neglected for many years by the late Administration to carry the trade of the country into the city, and to afford that accommodation which a rich and populous city required, and he ventured to say that at this moment there was no handsomer station or better accommodation at any terminus on this con-

tinental than at Halifax station. So much with regard to several points made by the hon. gentleman—some from a matter of mere defence and attack. He would refer for a moment to the present condition of the road. They had now nearly completed the steeling of the line. The steel rails were laid on the entire road, with the exception of 11 or 12 miles. The old bed had been renewed in the sleepers, some iron bridges and some filling up, and they had ballasted the St. John and Shediac road so as to bring it into first-class condition, and at no previous period had the old portion been in as good condition as now. During last winter, from the last of November to April 3rd, there had been, altogether, twenty-two steamers unladen, partially, at Halifax. These steamers unloaded, altogether, 1,218 cart-loads, from which a revenue of \$25,662 was derived. This would not, perhaps, be looked upon, even for these few months, as a very large trade; but it was large, since it commenced in the first place at so very late a period, and they might reasonably look for a vast increase of this trade in a few years. During the first winter, there were apprehensions that the arrangements which the Government had made, were not such as would ensure a steady stream of traffic passing over the road. The merchants and others who had freight to come to Montreal and western places, were naturally timid about trusting their goods on a road which had to pass through so large a tract of country, usually covered pretty deeply with snow; and when they knew that during the last two years the steamers running from Liverpool, and other English ports, to New York, had carried goods for western Ontario as low as 12s. 6d. and 15s. sterling, per ton, this passage being at once rapid and sure, they could scarcely wonder that they had carried so little over the Intercolonial Railroad; still it was an admirable beginning, and when the first winter was carried out triumphantly as to the passage of traffic of all kinds, the second, this last winter, was very much more successful, as the returns they now had showed; and they were able now to point, with some pride, to

the result of the current year's transactions. For the six months ending December, of the last three years, they had been as follows: in 1875-6, \$471,042; 1876, \$613,384; and 1877, \$715,186, an increase over the previous corresponding six months of nearly \$100,000; and during the last four months there had been an increase again of another \$100,000 over the corresponding four months of the previous year, so that they had every reason to feel hopeful as to the traffic which might pass over this road. He was not hopeful that he should succeed for years to come in making the traffic entirely a paying one, but the road would yield a return in many other ways than dollars and cents, by opening up a vast portion of the country which had previously been almost inaccessible. It would pay in another way. It would afford a highway of our own to the ocean, to our two great cities on the sea coast, thus promoting that intercourse which was essential to the growth of national feeling amongst us, which was much more valuable than money—that independent national feeling, without which no people could be prosperous or great. He would not occupy more time in referring to those matters with which the hon. member for Cumberland had dealt. He thought he had tolerably well answered the points which the hon. gentleman had endeavoured to make against the Government. He would be very glad to answer any questions which his information would enable him to answer, respecting anything connected with its management. He could only say that he had, as far as possible, given his closest attention to making the road a success. Surely the economy which had been practised alike in the purchasing of supplies and the general management of the road was such as would fairly entitle the Government to some credit at the hands of the Committee. The hon. gentleman opposite had endeavored to show that a great deal of what the Government was assuming as a credit to itself was due really to the shrinkage in value of the goods purchased in the shape of stores. No doubt there was something in this, when he (Mr. Mackenzie) had pointed out that the

average cost of bar iron in 1873-4 was \$4.31 per 100lbs., of casting iron \$4.25 per 100lbs.; while this Government purchased the same material, bar iron at \$1.90 per 100 lbs., and cast iron at \$2.28 per 100lbs. Iron had no doubt suffered great shrinkage in value, but he did not believe it had shrunk to the extent those prices indicated. Any one who looked at the Public Accounts which were presented to Parliament some years ago would find that similar iron, ordinary English iron, was paid for as high as \$6.25, and would find also that this Government purchased spring steel at 6c., whereas, before they came into office it was charged at 18c. He did not believe spring steel was three times as high in 1873-4 as in 1876-7. He was sure it was not. He recollected well taking in tenders for this particular article after he had come into office, and instead of paying 18c. for it, he obtained it at 7½c. He thought the Government might, therefore, fairly take some credit to itself, if they had—and he thought they had—succeeded by their system in purchasing at a very much lower price than the former Administration, besides the shrinkage which, he admitted, was very great. Over and beyond the shrinkage, he ventured to say they had purchased, not simply those supplies mentioned in this report, but other articles at prices less by three or four times the total value than what was paid in 1873-4. Had he known there was going to be a critical examination into prices, he would have brought with him a tabular statement he had of many articles which would have been of interest to the Committee. He did not desire to enter into any discussion to-night, because he had not expected that the hon. gentleman would have taken the precise line which he had adopted. He ventured to say that in no railroad on the Continent of America had stores been purchased with greater judgment, or dealt out with greater care and precision than on the Intercolonial. No one who examined the main department and went over the railway and examined the works, would fail to appreciate the efforts of the Government to make this road a successful one.

Mr. JONES said the explanations of the hon. the Premier, in reply to the observations of the hon. member for Cumberland, perhaps, left very little for him to say on these points, except to refer to one of the hon. gentleman's remarks, which applied more particularly to Halifax. During the previous Administration, of which the hon. gentleman was a member, an amount was annually placed in the Estimates for the purpose of carrying the railway into Halifax. That amount was kept there, year after year, but nothing was done. Year after year, as a Dominion or local election came round in Halifax, engineers were sent round with their instruments, to lead the people to suppose the Government were at last in earnest and were going to prosecute the work, but, invariably, nothing further was done. The only thing done was to make an application to a member of the Government for a dockyard through which the railway might pass to West Wharf. The Admiral on the station gave an unfavourable report, and the whole matter dropped there. The Government had never moved further than to obtain possession of the land. They had a survey made and advertised at a critical time, and said they were going to give this tender to Mr. O'Brien to take the railway down to the north end of the dockyard wall, knowing, at the same time, they could not move one step in advance without the permission of the city. The whole thing was a political dodge, got up at the time for a political purpose, very well understood. When this Government came into power, their engineers were sent to Halifax and the Superintendent went down and consulted with the city with reference to bringing the line into it. He met the Department of Commerce, and detailed the plan which, after mature deliberation, he thought was the best to be obtained under the circumstances. The Department of Commerce approved of the plan. At that time the arrangement was made adopting North street as a station, with the view of obtaining Queen's Wharf for the city terminus. The Government applied for the wharf and were refused, and, therefore, their proposal to establish a steam ferry between the

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city and Richmond could not be carried into effect. The Government then negotiated with respect to private wharves, but found there were no private wharves unless they purchased a very large slice of deep water property to give the accommodation. The objection to West Wharf was this: When the railway authorities came to investigate the subject, they found there was not room enough at West Wharf for freight and passenger accommodation, though there might have been accommodation for a freight station. The Government then built the North street station, where there was ample accommodation for passengers and freight. He did not say but that the Government might have to carry the line further into Halifax. That was under consideration at present. It would have to go by a different route, along Water street itself, which would be a mode much less expensive than that pointed out by the hon. gentleman. The hon. gentleman had also referred to the Windsor and Annapolis Railroad. The late Government had leased this road to that Company then, under peculiar circumstances; had passed an Order-in-Council revoking the lease on the ground that the Company had ceased to operate the road, which was not true, as had been proved in another case submitted to Judge Richie, on which he founded his argument, therefore the Order-in-Council cancelling the lease was beyond their powers. That Order-in-Council was made a special legislation in the following year, and embraced in an Act of Parliament. On that occasion the hon. gentleman was present, and the representatives of the Western Counties Railway Company were present; and he was not aware that either had drawn the attention of the House to the fact that they were about to pass an Act beyond their powers, under the circumstances. Had the hon. gentleman taken then the view which he seemed to have lately taken in the interests of the western counties of Nova Scotia, it was his duty to have drawn the attention of the House to this fact, and to have pointed out that the Government were asking the passage of an Act conferring powers to the Western Counties Rail-



way Company beyond their powers. He (Mr. Jones) regretted extremely the position in which those railways were placed. He did not wish to express an opinion in favour of one company or the other. He was afraid they had been working in no friendly spirit towards each other. As these roads had been built by public money, the Government would have to take some course in order that public interests might not suffer beyond a certain point. The hon. member for Cumberland had endeavoured to make political capital out of these questions, but the people of Halifax knew the hon. gentleman's course and would not be guided by his opinions.

MR. TUPPER said he felt that the case as stated by him was practically untouched, and therefore he would detain the Committee but a short time longer. The hon. the First Minister had drawn a distinction between renewals and ordinary expenses. He (Mr. Tupper) failed to see, if maintenance of way was an ordinary expense—and he thought the hon. the First Minister would admit that it was an ordinary expense—how any distinction could be drawn between renewals which were an essential part of maintenance of way, and ordinary expenses. He thought he need not labour further at that point, he had shown that the hon. gentleman had said not only that renewals must be charged to income, but that they must be taken at one vote. That disposed of the question as to whether he (Mr. Tupper) had the right to charge him with the renewals he had made during the past year. It was grossly unfair for the hon. gentleman to charge Suspense Account \$300,000 or \$400,000 for the expenses in carrying on the working of the Intercolonial Railway. If he could put nearly \$400,000 on the two following years, why could he not put a million, so that the working would cost nothing, by putting everything into Suspense Account. If that was not an essential part of the maintenance of the road he did not know what was. All parties agreed that renewals had been charged to the year in which they had been made both by the late Government and the present

Government. He (Mr. Tupper) had not said before, nor did he say now, that the expense of operating the road was the same for three hundred miles as for six hundred miles, but there was no such relation between the staff and the length of the road required for the operation of the road. There was only one superintendent required whether for 100 or 1,000 miles. Take for instance the question of engineering. He wanted to know why Mr. Brydges, knowing the great injustice of turning public officers of standing out of their positions, recommended to the hon. the First Minister, to discharge two assistant engineers, knowing as he did, he was going almost immediately to have the road open for the 700 miles, and when he had them replaced. It was making it—

MR. MACKENZIE: What was?

MR. TUPPER: There had been more money expended in engineers by a thousand pounds at the present moment than before they were discharged. Mr. Brydges knew that immediately on the opening of the new road they would be required, and his ingenuity might have found some employment for them until the road was opened. The working of the road per mile had been brought up as a material point. He (Mr. Tupper) had drawn the attention of the hon. the First Minister to the fact that in that comparison they had the advantage of the difference between the cost of stores in 1874 and 1877. Assuming that the charges were extravagant in 1874, although it was admitted there was a great shrinkage in value, they had that difference between mileage of 1874 and 1877. If it had depended entirely on good management, why was it that the cost per mile of working the road, 429 miles in 1875, was \$2,542 under the present management, as shown by Mr. Brydges' own accounts, and that in the next year the charge for operating 545 miles was only \$2,126. This showed a large disparity between the cost per mile of working the road under the same management in 1875 and 1876. Then, in 1877, there was again a large increase of over \$100 per mile in the cost of working it, notwithstanding a large

portion of this road was new, and the capital account still open. He would now allude to one or two points raised by the hon. the First Minister. The hon. the First Minister said that he (Mr. Tupper) had made a political speech. He could not help it if, in drawing these contrasts between the management of the Intercolonial under the old Government and the present Government, the results were favourable to the late Government. He was not responsible for that. It might have political effect, but the hon. the First Minister could not, on that account, claim that he (Mr. Tupper) should not make these statements. His object was to make a comparison between the two parties, one which he was entitled to make, as the late Government had been unfairly judged in relation to this matter. Taking Mr. Brydges' own statement in regard to the cost of stores, he said their prices had been greatly lessened during the last three years, partly by general new prices, partly by asking for tenders for the additional articles required. An arrangement was made for over \$100,000 for rolling stock in the United States, by the Superintendent, without tenders or competition being called for. The arrangement was made with the Portland Car Company.

MR. MACKENZIE: There was a circular sent to all the leading firms.

MR. TUPPER said when a public department wanted a \$100,000 worth of engines, he did not call sending circulars to a few people a good system.

MR. MACKENZIE: The circular was sent to all the leading firms of engine manufacturers. There could be no better mode of tendering adopted than that. The hon. gentleman was aware that that was the method pursued by almost all railway companies and by the British Government.

MR. TUPPER said he was warranted in saying there were no public tenders called for. The Minister of Militia seemed to question the rights of anyone, but himself, to say anything about Halifax. This, however, was not a matter in which Halifax was alone interested. Every Canadian was interested in the question of the situation

MR. TUPPER.

of the Intercolonial at Halifax. The hon. gentlemen had said that his (Mr. Tupper's) statements would not go for much in Halifax; but, on a recent occasion, when the hon. gentleman (Mr. Jones) a direct personal issue, between him (Mr. Jones) and himself, almost ignoring the candidate who was running against him (Mr. Jones), the majority of the electors of the city of Halifax voted against the hon. gentleman being returned to this House. He (Mr. Tupper) could claim the credit of having been instrumental, of having been concerned, of having been an active agent in everything which had had the effect of advancing the position of the city of Halifax for the last 20 years; and he defied the hon. gentleman to point to a single public matter there which he had not promoted.

MR. JONES (Halifax): What are they?

MR. TUPPER said that in visiting Halifax, he could say *Si monumentum requiris circumspice*. When the Intercolonial Railway was under discussion, the late Government took up the question of the Halifax terminus which was then a mere shanty at Richmond. Mr. McNab was charged by the Government to survey a line into the city in order to have the terminus there. He made his report to the Government on that subject, but the leading citizens of Halifax objected to that report because they wanted a water communication, and the member for Halifax (Mr. Jones) participated in the objection. He (Mr. Tupper) returned from a visit to Halifax, and asked his hon. friend the Minister of Public Works (Mr. Langevin) to stay his hand, because the scheme was objected to by the public men of Halifax. Mr. Fleming was then appointed to go down and see the commercial men of that city, and see what would carry out their views and submit a plan to the Government. He submitted an elaborate plan providing for carrying the road through the dockyard and terminating it at West's Wharf. There was a large space between West's Wharf and the dockyard, which was owned by the city, and the Government knew that they could get that.

MR. JONES: The hon. gentleman knows they could not get through the dockyard.

MR. TUPPER said they then applied to the Imperial Government and took every possible means to get permission to go through the dockyard and reach the point which the citizens of Halifax, including the present Minister of Militia, approved of. That having failed, they took advantage of Mr. Archibald's presence in London to get him to go to the Lords of the Admiralty, and every argument was exhausted by them to endeavour to get permission to go through the dockyard. That having been refused, they decided to go through Water street, and go to West's Wharf, and with that view they changed their estimates from \$150,000 to \$250,000, in order to meet the cost of expropriating one side of Water street. An Order-in-Council was passed adopting that policy, and it was in course of arrangement at the time the late Government went out of office. The Government had now under consideration the means of meeting the statements of Sir Hugh Allan, that for practical purposes the present arrangement would not do. He (Mr. Tupper) should be happy to support and assist the Minister of Militia in accomplishing what every member of this House should desire—the establishment of the Atlantic terminus of the Intercolonial Railway. In regard to the Windsor and Annapolis Railway, the late Government had not legislated at all. They only passed a Minute-of-Council. They passed an Order-in-Council, and the present First Minister adopted it, though he cancelled Orders-in-Council relating to a number of appointments. Why did he not cancel this Order-in-Council, seeing, as he said, that the Government were then incompetent to do anything?

MR. MACKENZIE said this Order-in-Council was passed before the meeting of Parliament, and, therefore, before he (Mr. Mackenzie) placed his motion of Want of Confidence in the Speaker's hands.

MR. TUPPER: Then my memory failed me. What was the date?

MR. MILLS: 22nd October, 1873: Parliament met on the 23rd.

MR. TUPPER said no action had been taken in the matter, except the passage of the Orders-in-Council, and, therefore, it was quite competent for hon. gentlemen to cancel them. The late Government did not propose to part with anything but the fee simple of the Windsor and Annapolis Railway, which was all they had, and which was subject to right acquired by Act of Parliament.

MR. LANGEVIN said the member for Cumberland had stated the case very fully and correctly, and he endorsed his statements. In regard to the cost of working the railway, everyone knew that a short railway would cost a great deal more per mile than a long railway. When the Intercolonial came under the control of the hon. gentlemen opposite there were Division Superintendents, who were discharged when hon. gentlemen came into office. It was not shown that the expenditure in 1873 was extravagant. He had no doubt that the Minister of Public Works was doing his best to manage that railway in the interests of the country. But the railway had been about doubled, and, per mile, of course, the cost must be smaller now than it was when the railway was only 350 or 400 miles in length. The comparison made by the hon. member was not a proper one, and did not bear against the late Government. The hon. gentleman had stated that there was not on this continent, and, perhaps, nowhere else, a railway better equipped than this. He did not doubt it; and this was a great credit to the country. He hoped that the Pacific Railway, when completed, would be as well equipped. It was an honour to the country that this should be so, and in view of the great sacrifices we had made to build the Intercolonial, and which we were now making to build the Pacific Railway, it would be a thousand pities if we did not have a first class railway, and the best, perhaps, on this continent. He would ask the especial attention of the hon. Minister of Public Works regarding the extension of the railway towards Quebec, the purchase or lease of the

Rivière du Loup branch of the Grand Trunk Railway, which came as far as Quebec. Some arrangements, at all events, should be made in this regard. This portion of the Grand Trunk was now in very bad condition. The trains could not pass over it at a rapid rate of speed, owing to this fact. Future winters could not be expected to be as mild as the past one, and if something was not done very serious inconvenience would result. This portion of the line did not pay the company, and consequently it was not inclined to spend money on it. It was not in the interest of that company to send goods by this route, while this country had a great interest in this branch, which really was, and must become, a portion of the Intercolonial. Arrangements, at all events, should be made to have this branch placed in proper order. If the Government purchased or leased or made some arrangements respecting this road it would be of the greatest advantage and necessity to build a short branch from the St. Charles station to Point Levis. This was required, and he had no doubt that Mr. Brydges would, if asked, tell the hon. the Minister of Public Works how necessary and important this branch was as regarded traffic over the Intercolonial, because, instead of having to come by the Chaudière and back to Point Levis, probably 8 or 9 miles of railway would be thus avoided. He was aware that the hon. gentleman had given attention to this matter.

**MR. MACKENZIE:** I would be very much obliged to the hon. gentleman if he would tell me how to do it, other than to give me advice on the subject.

**MR. LANGEVIN** said he left this entirely in the hands of the hon. gentleman who was responsible for the undertaking, and he had no doubt the hon. gentleman had the means for effecting this purpose. If something was not done in the direction indicated, the mails over the Intercolonial might be altogether stopped next winter. He did not think that the road was blocked one day with snow this last winter.

**MR. MACKENZIE:** We did not allow any snow to fall last year.

**MR. LANGEVIN.**

**MR. LANGEVIN** said this showed how strong the hon. gentleman was. The hon. gentleman knew that he (Mr. Langevin) had no personal interest whatever in this matter. It would not affect his county, but it did concern the interests of the whole country. Ontario was, perhaps, more than any other Province, interested in having this road properly kept up and in the hands of the Government.

**MR. McCARTHY** said that one or two of the statements made by hon. gentlemen opposite seemed to be incorrect and called for observation. The test of the hon. the First Minister as to the working of the road, which would appear fair at first sight, would not, he thought, bear out that conclusion when examined. Mr. Brydges, in his report, showed that the expenditure for the working of the road included the renewals per mile, and this was contrasted by Mr. Brydges, in his report, with the working expenses of the road during 1875-6, which is stated as being \$3,839.38 per mile. He thought that the working expenses of 1873-4 were \$3,535, and they seemed to be over-stated by \$331 per mile. In addition, these working expenses included the very large sum of \$275,719 for renewals, which spread over 371 miles of road, of course gave a much larger amount per mile for renewals, than did \$200,000 spread over 714 miles.

**MR. MACKENZIE:** It does not include that at all.

**MR. McCARTHY** said that he (Mr. McCarthy, was right. He had the statement which showed it before him. The ordinary expenses in 1873-4 were \$1,025,830, and renewals \$275,719, making a total of \$1,301,000; and this was the basis on which Mr. Brydges must have taken and divided by the number of miles.

**MR. MACKENZIE:** Have you the division?

**MR. McCARTHY** said that he had the statement of the working expenses for 1873-4; the number of miles was 371, and it was simply a matter of division. He contended in the first place that a mistake was made in the report, which he thought showed that

the working expenses were \$3,535 instead of \$3,839 per mile. The road was then 371 miles in length; the renewals cost \$275,719; and the rate was \$331 less per mile than Mr. Brydges stated in his report, and this concerned the comparatively small mileage (371 miles) against the expenditure of \$200,000 on renewals over 745 miles of roadway. This was the case, however the matter might be reviewed. Another matter which might be taken into account in a comparative statement of this kind, was the cost of supplies or the general store account. This item last year amounted to \$1,171,802. They knew that according to the statement of Mr. Brydges, owing to the shrinkage in value, that the store account would have cost twice that sum had these stores been purchased in 1873-4, so that they had a right to double this sum in making a comparative mileage statement between 1873-4 and last year; and he thought that the hon. gentleman in this way would find the result very different from what Mr. Brydges made it in his report, and which the hon. gentleman reaffirmed here in argument. The result which he made was as follows: Leaving both accounts for the renewals, they had, for the last year, \$2,505 per mile, and adding the difference in the cost of stores \$1,241 per mile, they would have \$4,000 per mile against \$3,508 for 1873-4.

MR. MACKENZIE: The hon. gentleman is counting the whole expenses of the cars, which is charged to capital account.

MR. McCARTHY said that the hon. gentleman would see this in Statement No. 9, attached to the Intercolonial Railway in Public Works report, page 163. This gave the general statement of the store account and showed as follows:—

June 30.		
By Issues during year.....	\$1,171,802	41
Material, &c. sold :—		
Old Rails, 3,824 tons, 16 cwt.		
2 qrs. 17 lbs. ....	75,382	05
“ Cast Scrap, 599,637 lbs.....	3,839	94
“ Cast Iron Chairs, 359,605 lbs.....	3,148	43
“ Scrap, Axles, 860 lbs...	12	90
“ Steel, 121,834 lbs.....	1,311	99

Old Spikes, 58,900 lbs.....	957	00
“ Scrap Wheels, 3,100 lbs.	27	90
“ Wrought Scrap, 830 lbs.	5	70
“ Frogs, 1.....	30	00
New Spikes, 150 lbs.....	4	50
“ Frogs, 3.....	285	00

He presumed that the issues, on account of the working of the road, extended over the different departments. If not they had no means of judging. This was all he proposed to say with regard to the figures.

MR. MACKENZIE: The hon. gentleman is mistaken in taking these figures. The purchase through all the year does not mean the expenditure during the year.

MR. McCARTHY said that the account started with a balance in hand of \$153,788 worth of goods and left with \$367,000 worth; credit was given for stores during the year of \$1,171,802.41, and old material sold had realized \$85,005.41.

MR. MACKENZIE: The issues embrace, of course, the entire material which went into 450 cars built, as well as other stock, first-class cars, locomotives, and other things. There is not, perhaps, one-half of these issues that belong to the current year. The hon. gentleman cannot take these figures. They are entirely astray. They should only include stores consumed during the year and ordinary working expenses. These figures embrace necessarily everything that we have in the shop, and stock which may be used for years; and this in part was used very extensively this year on capital account for the construction of 400 cars, and each car cost \$530.

MR. McCARTHY said he wished to ask if he was to understand that in the store account, they made issues for revenue purposes and for capital purposes.

MR. MACKENZIE: Undoubtedly.

MR. McCARTHY: I see.

MR. MACKENZIE: We purchase the lumber by tender, and have it all stored there, and we obtained tenders for 300 cars. We received tenders, some for \$520 and others \$530, and we built another 400, which we succeeded in building for a slight figure under that of the contract price.

MR. McCARTHY said that then his statement did not hold to the full extent, but it did as to the cost of stores chargeable to revenue, and, therefore, the comparison drawn by Mr. Brydges in his report was not fair, but misleading, though, perhaps, not intentionally so. As to the expenditure of \$339,000 entered subsequently, they knew that the country had paid, last year, \$539,000 for renewals; whether it was spread over three or four years or not, as a matter of fact, this money had gone into the construction of the road, and it was quite apparent that it had never been placed before this year in the Suspense Accounts. In 1873-4, \$275,000 more were sent on renewals than last year, according to this way of arranging it, although the road was then only 371 miles in length. In 1874 this expenditure was \$292,382, and he contended that in renewals \$92,000 more than appeared was chargeable against this particular year. It was manifest and quite plain that no comparative statement could be properly drawn, and no fair and reasonable statement be made out between this account of 1873-4 and the present account, unless the whole amount of renewals was put in. In fact, the renewals of this year in comparison with the number of miles operated, were not more than the renewals for 1873-4, and in fact not as much. He merely rose to draw attention to the position of the Windsor and Annapolis branch line. The facts were these; and when they had the facts, it was not very difficult to arrive at a proper conclusion, as to the rights of these parties. This railroad was built under a statute of the Nova Scotia Legislature before Confederation, which empowered the Governor in Council to enter into an agreement for the construction of the branch road, and to grant subsidies to it. This agreement was made upon the 22nd of November, 1866; and on this agreement the Hon. Justice Richie, whose judgment he has before him, determined that absolute running powers were given over this Windsor and Annapolis road by the Government of Nova Scotia for all time to come; subsequent to this an arrangement was made by the Government of Nova Scotia, for a term of

MR. MACKENZIE.

twenty-one years, giving the line, in addition to running powers over the road, a matter of right, a vested interest in the corporation as lessee on certain terms and certain conditions, but only for twenty-one years. This did not profess to do away with the rights which the railway had for all time as to running powers over the Windsor branch, connected with the main trunk; but it granted for twenty-one years, under a specific contract, these running powers over the trunk line as well for a certain proportion of the earnings. This it was stated was cancelled by the late Government; and apparently an Order-in-Council was passed subject to the approval of Parliament, to put an end to the lease, and to enter into another arrangement with the Western Counties Railway. Of course, the Order-in-Council had no effect. It professed to be made subject to the approval of Parliament, and it was in no wise binding on the Government that succeeded the late Administration or Parliament until approved by Parliament, and the hon. gentleman ought not now to pretend that all the blame attachable to the unfortunate position in which these roads now were should be shouldered by the late Administration. The Government, of which the hon. gentleman was the leading member, adopted this Order-in-Council, and not only adopted it, but brought down an Act of Parliament and passed it through the House.

MR. MACKENZIE: What does the hon. gentleman mean by adopting the Order-in-Council?

MR. McCARTHY said the hon. gentleman acted on this Order-in Council.

MR. MACKENZIE: The hon. gentleman says we not only adopted it, but brought down an Act.

MR. McCARTHY: So you did.

MR. MACKENZIE: We simply brought down an Act to confirm an agreement, solemnly and formally made by the late Government. We were bound to do that in good faith.

MR. McCARTHY: The hon. gentleman, as I understand it, was not bound to do that, because this agreement was subject to the approval of Parliament.

MR. MACKENZIE: The hon. gentleman will see this: An agreement was made by the late Government, subject, no doubt, to the approval of Parliament, but this Government, in the abstract, was bound to see that this agreement was carried out, if they could; and it was our duty to submit it to Parliament for approval, in accordance with the agreement made by the Government of Canada.

MR. McCARTHY said he then understood the hon. gentleman to say that, whether this was right or wrong, or illegal—and beyond all question it was illegal, according to the decision of the Nova Scotia Judge—this Government was bound to adopt and submit it to Parliament, and have it ratified by Parliament. He did not understand this at all. Surely if the hon. gentleman did not approve of this policy, he would not have brought the Order-in-Council down to Parliament. If the hon. gentleman had found it illegal, he would not have brought it down to Parliament and carried it into effect.

MR. MACKENZIE: It is an open question whether it is illegal or not.

MR. McCARTHY: I understand that it is not an open question. I have the judgment before me.

MR. MACKENZIE: But there may be another judgment rendered. The ordinary heading of the Nova Scotia Act does not seem to me to concur with that judgment. Of course this is a layman's opinion, and worth very little, but it does not say that it gives running powers only, but "running powers or other arrangements."

MR. McCARTHY said he did not propose to argue the matter with the hon. the First Minister. He would assume that the judgment of the Nova Scotia Judge, until reversed, at all events, was sound and good law. The hon. the First Minister forgot that after all this was done—the most important point was not to be lost sight of—that this agreement was made on the 22nd June, 1875, signed by the hon. gentleman himself, after the Act of Parliament was passed, ratified and confirmed it.

MR. MACKENZIE: That is a great mistake.

MR. McCARTHY said he did not understand it if it was a mistake. Some arrangement was made with the railroad.

MR. MACKENZIE: I thought that I explained that in my remarks.

MR. McCARTHY said it was surely an extraordinary thing to say that when a solemn agreement was entered into by the hon. the Minister of Public Works, under which this company bound itself to change their gauge and go to expense, it was merely a mistake, and it was surely not a sufficient answer to say that it was a mistake.

MR. MACKENZIE: I am afraid that it was we that went to the expense and not they.

MR. McCARTHY said that he only knew what he saw there. He understood from the judgment that all this was done; that the gauge was changed; that the cars were delivered over to the Government and to the hon. the Minister of Public Works; and after all this was done the road was violently taken possession of without right and in defiance of the law as it was established by a Judge of Nova Scotia. There seemed to be no doubt at all about the legal position of the case, assuming that this judgment which he did assume, and did not at all differ in any way from, to be perfectly correct. He mainly rose to point this out as an answer to the observations of the hon. the Minister of Public Works on this point.

MR. TUPPER said that he wanted to draw the attention of the hon. the First Minister to the case of Mr. Boggs, which he had brought before the House on a recent occasion. He did not find the discrepancy between the statements so great as the hon. gentleman had seemed to imagine, yet he felt the full force of the statement made by the General Superintendent of Railways, as to the difficulty connected with any interposition in the administration of the road where a serious accident had occurred; and if the restoration of Mr. Boggs to the position he held before, was asked, he would hold that this objection was

insuperable, and was inclined to think that the Superintendent would agree with him that Mr. Boggs having been a faithful and efficient officer for many years, and one who enjoyed good standing, as this accident had occurred after very severe and prolonged labour on his part, his claim should be considered, because it was a most disastrous thing for any person in his position to lose the means of living—and he should be chosen to fill some other position to which such responsibility would not attach. A very large petition, sent by a number of the inhabitants of the place, asked that he should be appointed station-master at Brockville, where, he believed, there was a vacancy. He (Mr. Tupper) hoped that this claim would be considered. He also desired to refer to the case of Mr. O'Brien. He had introduced a Bill to restore to Mr. O'Brien the rights which he enjoyed before the Intercolonial Railway Act was passed. What he wanted to ask the hon. Minister was, whether, in case they were not disposed to so alter the law as to place Mr. O'Brien in the same position as he was under the law, he would like the case to go before the arbitrators?

MR. MACKENZIE said he had no word to say in answer to that. The Government had not been able to recognize that claim. It must be assumed the Government had a right to complete the railroad to Halifax. The mere fact of Mr. O'Brien having a railway track on the street could not debar the Government from building a road alongside it if they liked. Submitting the matter to arbitration would imply that the Government doubted their position. There could be no possible ground for submitting the matter to arbitration.

MR. TUPPER: I understand that in the case tried in the Supreme Court you expressed the opinion that Mr. O'Brien offered the arbitration.

MR. MACKENZIE: That is a mistake. What I offered was this: I said we are quite willing to pay you any interruption we caused you by breaking up the street and crossing the track, from the time we took up your rails until we laid them down again; whatever damage was thereby caused

MR. TUPPER.

will be paid for. If that cannot be decided on between us, we will leave it to arbitration. That was different from leaving the right of the Government to build the road to arbitration. I consulted the law officers of the Crown respecting that.

MR. TUPPER said he would like the hon. gentleman to consider the question of submitting to the official arbitrators any damage. Under the law Mr. O'Brien might be in a position to claim arbitration on the statement when the law passed that no private rights would be interfered with.

MR. BORDEN said the hon. member for Cumberland had appeared to night in a new rôle in relation to the Windsor and Annapolis Railway. During the past four Sessions, the subject of transferring branches of the Intercolonial for the purpose of aiding the construction of other lines in the Lower Provinces had been before this House, and on every occasion the hon. member had claimed paternity for that policy and had defended it. The hon. gentleman had never before taken objection to the Act for the transfer of the Windsor Branch, introduced by the present Government in 1874, nor had he ever claimed any rights for the Windsor and Annapolis Railway Company. To night, for reasons obvious to the people of the Western counties, he had advocated the rights of the Windsor and Annapolis Railway Company, which, when the railway was first built, had great difficulty in getting their rights acknowledged by the late Government of which the hon. gentleman was a member. In the statement put forth by the Company the following statement occurred:—

“Whilst the railway between Windsor and Annapolis was under construction, the British North America Act came into operation, and Nova Scotia became a part of the Confederated Dominion of Canada, the Government of which, in terms of the provisions of said Act, became owners of the railway from Halifax to Windsor, and consequently the successors of the Provincial Government in the before-mentioned agreements and acts. However, in direct opposition to the provisions of the section above quoted, the traffic arrangements and running powers were refused to the company, and upon the completion of their works they were compelled to com-



mence operations under a provisional agreement for the mere interchange of traffic, which was entered into, under protest, between the then manager of the Company's railway and the Superintendent of Government Railways, on 13th December, 1869."

Further, the Company were obliged, in 1871, to send out a special agent, Mr. J. A. Mann, from England, to negotiate with the Government, and he immediately petitioned the Government for running powers. On the 21st June, 1871, the Minister of Justice reported favourably to the application of the Company, and an agreement was entered into, to take effect from the 1st January, 1872. Nothing further was heard of the matter until May, 1873, when a resolution was adopted by this House, introduced by the right hon. member for Kingston, declaring it expedient to give powers to the Government to enter into negotiations during recess for the transfer of the branch railway. Not a word was stated in that resolution as to any right the Windsor and Annapolis Railway Company possessed in the branch proposed to be transferred. The next act which would indicate the personal feeling of the hon. member for Cumberland was the cancellation of the lease on 22nd October, 1873, after, as alleged by the company, a promise had been given of an extension of time until November 1st for the payment of arrears. The responsibility of this Order-in-Council has been to-night accepted by the hon. member for Cumberland, after which, and in view of the manner in which this Order-in-Council is regarded, in the recent judgment of Justice Ritchie, it was very evident that this championship of the rights of the Windsor and Annapolis Railway Company by that hon. member, was of very recent date. As to the hon. gentleman's special interests in the people of the Western counties, that was also exhibited by an Order-in-Council passed on 22nd October, 1873, authorizing the company to increase their tariff, perhaps to compensate the company in some measure for the cancellation of the lease on the same day. He had shown enough of these facts to enable the people to appreciate what the hon. member had said to-night on

their behalf, and in the interests of the Windsor and Annapolis Railway Company. It was intolerable that the present unfortunate state of things, which seriously interfered with the trade of the Western counties and of Halifax, should continue. He had received a letter from a prominent merchant in his (Mr. Borden's) county, from which he would read an extract, and to which he would call the attention of the hon. the Minister of Public Works:—

"Last week I had a car load of English goods brought by rail from Halifax to Kentville. For carriage the Western Counties Company made a charge of \$30.30 to Windsor, and the Windsor and Annapolis Co. of \$21.78 to Kentville; altogether \$52.18. Before the Windsor Counties Co. got the Windsor branch, the whole charge from Halifax to Kentville on a car load of freight was \$25."

He had also a letter from a gentleman engaged in sending large quantities of hay to Halifax, in which he made this statement:—

"Under the present arrangement the cost of getting hay down to Halifax is from \$2 to \$3, whereas the people of Sackville get their hay over 150 miles of road to Halifax at about half that price."

Thus it appears that the people of Horton were paying nearly four times the rate of the people of Sackville, to get their hay into the city of Halifax, according to the number miles they were distant from that city. He (Mr. Borden) did not intend to enter into the quarrel between the companies, and between one of the companies and the Government. He simply desired to call the attention of the Government to this unfortunate state of things and to ask that steps be taken to remedy it.

MR. MITCHELL said it was of great importance that the Rivière du Loup Branch should be acquired by the Government.

MR. POPE (Compton) said he considered that this branch was the key to the Intercolonial Railway, and the Government should not allow another winter to pass over without making an effort to get the road.

Vote agreed to.

201. Prince Edward Island Railway	\$200 000
202. Telegraph lines, British Columbia (including subsidy).....	41,500
203. Telegraph lines between Prince Edward Island and the main land.....	2,000
204. Agent and Contingencies, British Columbia.....	4,000

XXII. DOMINION LANDS.

206. Surveys of Land, Manitoba and the North-West (including Commission and staff and Land Agencies).....	80,000
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XXXIII. MINOR MATTERS.

207. Estimate of amount for which a Vote is required.....	\$10,000
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Resolutions ordered to be reported.  
House resumed,  
Resolutions reported.

House adjourned at  
Thirty-five minutes past  
One o'clock.

HOUSE OF COMMONS.

Wednesday, 1st May, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

CRIMES OF VIOLENCE PREVENTION BILL.

(Mr. Blake.)

FIRST READING.

MR. BLAKE said he rose with a good deal of diffidence at this late period of the Session to make a few observations which he proposed to conclude with a motion. We had a very peaceable and law-abiding community in Canada, but there was no doubt, that a larger number of crimes of violence were committed than formerly. It was immaterial to enter into a general discussion of that topic. He believed that, as a rule, these unhappy changes were due to casual and accidental circumstances which would disappear. But, with reference to one part of the Dominion—a part of which they were all proud—the circumstances were widely different. From what

ever part of Canada they might hail they were all proud of the city of Montreal. They were proud of its situation, placed, as it was, in a commanding position at the junction of an unrivalled system of ocean and inland navigation. They were proud of the zeal, the enterprise, the public spirit of its citizens and the beautiful city they had made for themselves. They had been proud of the cosmopolitan character of its population, in which different nations and creeds have mingled together, co-operating for the general good, and each vying in the race of advancement. They believed in those sentiments, but they would be untrue to their position as legislators if, in view of the events which had been occurring during the last few months, and which culminated in a crime the other evening, they were to separate without some effort to restore the fair fame of the city and avert the disturbances which, if not looked after, would lead to more serious things in the future. For nearly a year past the city had been the scene of frequent violent attacks in the streets by different parties, in which firearms had been used with the utmost recklessness. Excepting the other night, little loss of life had resulted from those difficulties, but there might have been serious loss of life. But the events of the other evening were premonitory of far more serious events in the future unless some steps were taken to repress those circumstances. He was not called on at this time and under these circumstances—perhaps he would not be called upon at any time or under any circumstances—to weigh the merits of the contending parties. All the disorder, all the violence and use of firearms were not to be attributed to those classes, since it was obvious there existed a degree of lawless use of firearms in that city entirely irrespective of the circumstances to which he had alluded. It was natural to expect that that lawless habit would spread, and that the rougher and more lawless and criminal population would very readily avail themselves of a practice which the more respectable, orderly and law-abiding classes had not scrupled in some instances to resort to. As a Canadian

MR. POPE.

of Irish descent it gave him an additional pang of humiliation that his own fellow-countrymen of both creeds should be prominently concerned in those troubles. He would only say that if his feeble voice could reach beyond the limits of this hall, and he could hope that it would have any weight, he would ask them to remember that, although belonging to different forms of Christianity, the cardinal principle of that religion is love and charity, forbearance and self-sacrifice. That yielding to one another is the signal mark of our creed, whether Catholics or Protestants, and that we daily asked to be forgiven our trespasses as we forgive those which others did to us. There was but little charity in that religion if they could look calmly on the events which were transpiring in Montreal without horror and without a desire to use every means in their power to prevent their recurrence and reiteration. He would appeal to those two parties of his fellow countrymen, if his voice could be heard. He would appeal to one side to be regardful of the rights under the law of the other side, to be regardful of the prejudices and feelings and the temperament of the side which objected to some of their proceedings. It appeared to him that both sides were terribly to blame. There must be some restoration of the good feeling which formerly existed, and some understanding must be arrived at by which they could preserve their reputation. But so it was that a reign of terror might be said to prevail at this moment in Montreal owing to the mode in which those fights were organized, owing to the mode in which those weapons were secured. It was not only those who hazarded their lives in those encounters who were exposed to danger. The peaceful citizen was exposed to almost equal risk if he was in the vicinity of those encounters, to that which beset the actual combatants, and they found that those who had no concern whatever in the riots had been, in some cases, the actual sufferers, and in other cases had accidentally escaped with their lives. The question was whether there was any remedy by legislation, and that subject, as it occurred to him,

divided itself into three considerations—first, the question of public processions, which he would pass by with one observation. The question generally was a complicated and difficult one, but he was satisfied that, although he would not say there were no circumstances in this country in which their jurisdiction and power with reference to crime and criminals might entitle them to interfere to some extent in that subject, yet the circumstances were too rare, the interference would be but partial, and if any remedy of that kind would be fit to apply, that remedy was to be applied by the Local Legislatures of the Provinces. The second question was that which had attracted attention some time previous to this. It was that of possible interference by this Parliament, the formation of a police force by Canada. To that to-day, as in times past, he would decidedly object. The preservation of the peace rested under the one reading and practice of the Constitution with the local authorities. It would be utterly impossible for Canada to undertake to organize a police force such as would be required in the considerable cities and in the rural places. There was no doubt, that any city which, owing to exceptional circumstances, had to charge itself with the establishment of an exceptionally large police force, would be glad to see a local burden discharged even by the Dominion of Canada. His opinion was that it devolved upon the Local Governments and Legislatures to provide an adequate local force for the maintenance of the peace. There remained but one consideration on which they could profitably hope to act, viz., whether under existing circumstances any change could be made in the law for the purpose of repressing or preventing crime which came properly within their jurisdiction. He desired to call attention to the fact that there were already on the Statute two general and one special law having more or less relevancy to the consideration of the question whether further legislation should be had. So long ago as 1869, when the code of criminal law was passed which provided for offences

against the person, the 20th chap. of the Act of that year made it an offence to carry on the person pistols or other offensive weapons. The penalty, however, for the breach of this provision, although it was made a crime, was but a fine of from \$10 to \$40, and no imprisonment was awarded except in default of payment of the fine. The same law prevailed in seaport towns with reference to the wearing of sheath knives by sailors when off duty. The next general law was that of last Session, the passage of which was attended by many difficulties. It was important that the law should not be inefficacious, and, on the other hand, it was to be remembered that without the right to search, an advantage was given to the lawless portion of the community over the law-abiding portion—an important practical bearing supposing the penalty of carrying a revolver without a cause, to be a serious penalty, because, while free from the danger of being searched, the lawless character might without apprehension carry his revolver, he might fairly presume that the law-abiding citizen, knowing it was a crime to carry a weapon, would not carry one, so that immunity and license to the lawless individual might result. It was for that reason the Government proposed but very moderate measures. The hon. gentleman then detailed the provisions of the Act of last Session, and stated that there had been a special law on the Statute-book since 1869 with reference to certain districts in which it was thought possible that owing to the congregation of fluctuating bodies of labourers there might be increased danger to the public peace, and consequently the necessity of increased precautions, increased rigour, and diminution of the ordinary liberties of the subjects of this country. He referred to the Act for the Preservation of the Peace in the Vicinity of Public Works. Under that Act whenever the Governor in Council was of opinion that there was any danger to the public peace at a place, not being a city, which was exempted from the operation of the Act, in the vicinity where public works were being constructed, he was entitled to proclaim that the

Act should be in force, and from that time no one in the district was to have in his possession any weapon either in his house or on his person. The penalty, however, was so trifling that it might almost be called nugatory. It was a fine of from \$2 to \$4, with forfeiture of the weapon. The Act also provided that at a time and place to be named all dangerous weapons should be delivered up to certain commissioners, and that persons afterwards concealing weapons, in order to evade the Act, should be liable to a penalty of from \$40 to \$100. It was also provided that any person employed on the work who should be found carrying a weapon might be arrested if there were good grounds to believe he was carrying it for a dangerous and improper purpose. It was obvious, as it appeared to him, that the exceptional condition of things to which he had referred did not demand, and therefore did not justify, a general prohibitory statute. He felt, himself, the utmost reluctance in proposing, even as a temporary measure and under the exceptional circumstances, the application of a measure of comparative rigor and stringency with a view to mitigate the dangers to which he had referred. And this reluctance would be insuperable if he felt that they were called upon by any ground or reason to involve the whole country in the provisions of an exceptional law, because of exceptional circumstances involved only in one locality, however important that locality might be. But the precedent which he had referred to on our own Statute-book, and the precedent set by the Imperial Parliament, in the Act passed to meet the difficulties in Ireland, were both furnished to show that a general law was not essential to meet a special difficulty applicable to only one, though it might become applicable to more than one locality. After such consideration, brief as it might be, that he had been able to give the question with reference to the affair of the other night, he had come to the conclusion that it was their positive duty to legislate in regard thereto. He had come to the conclusion that a Bill passed somewhat on the model of the Public

Works Act, to which he had referred, or somewhat on the model of the Irish Act, to which he had also referred, would be the most reasonable way of meeting the difficulty. Owing to the late period of the session and the difficulty now of having a full discussion of such a measure, it should, he thought, only be temporary, and therefore his proposal would be, that any measure they might pass, should be in force only till the end of the next session of Parliament. He would propose that it should be in the power of the Governor in Council, whenever in his judgment it was necessary for the better prevention of crimes of violence in any county, city or town or municipality, in any Province or territory, by proclamation in the *Canada Gazette*, to declare that this Act should apply to the district defined in the proclamation. He proposed also that it should be in the power of the Governor in Council at any time by proclamation similarly published to revoke the former proclamation, and so discontinue the operation of the Act in the district. It was also provided that the proclamation carrying the Act into operation should be posted on the doors of the places of public worship, court-houses, and police stations, with a printed abstract of the provisions of the measure for the information of persons affected thereby. So far those provisions were printed chiefly from the Irish Act. He proposed further, that after a time named in the proclamation it should not be lawful for any person, not being an officer of the peace, or a soldier or sailor in Her Majesty's service, to have elsewhere than in his own house any arms. He had hesitated some time as to the definition of arms, but on the whole he thought it would be fitting to suggest to the House to embrace therein not only the smaller descriptions of firearms, but also others which were described in part in the Act relating to offences against the person, and some other firearms described in the Irish Act—in a word, all dangerous and deadly weapons. He would propose that any person carrying any weapon in contravention of the statute should be guilty of a misdemeanor and liable to a term of imprisonment not exceeding twelve

months, and that it should be lawful for any person to seize and apprehend any one carrying weapons after the Act went into force, and to deliver the offender over to an officer of the peace with a view to his being brought before the proper judicial functionary to be dealt with according to law. He also proposed that it should be lawful for a constable or officer of the peace to search any person suspected of carrying weapons, which, if found upon him, should be retained and handed over to the magistrates. Another provision was, that power should be given to the Governor in Council to appoint commissioners, who might grant licenses to such persons as they thought proper to carry arms, specifying the description of weapons, these licenses being revocable at will. He would propose further the application of the second clause of the Act respecting offences against the person, also with reference to the procedure for trial to this measure, and also that nothing therein should free any person from any other penalty to which he might be exposed; provided, however, that he should not be punished twice for the same offence. He had omitted any proposal with reference to the delivery up of offensive weapons in the houses of persons. This was, of course, a question of considerably difficulty. He had a reluctance to go a step further, in any proposal he might submit to the House, than the absolute exigency of the case demanded. It was obvious that any provision such as was contained in the other Acts for the delivery up of all weapons at a time to be named, and making it a crime to have weapons in the house, was a provision which, in the first place, involved the exercise of the arbitrary right of searching, which was very liable to be abused. It infringed to a certain extent upon the well-worn opinion that a man's house is his castle, and he was indisposed to take the responsibility on himself—although he did not pronounce against it—of inviting the House to adopt such a proposition. It was obvious also that for the efficacious carrying out of such a provision a considerable staff of officers would be required, and that it would be necessary to have a systematic search. Then, again, it would work

to the disadvantage of the law-abiding citizens if having weapons in the house were made a crime punishable by imprisonment. The law-abiding citizen would be more likely to give up his weapons while the lawless man would probably trust to his powers of concealment and run the risk of a search. It was also obvious that the protection of the law-abiding citizen against burglary and crimes of that character would or might be seriously impaired by a law of this kind, since burglars and such lawless persons frequently carried arms, and they would have the presumption or assurance derived from the existence of such law that there was a considerable chance that honest, peaceable citizens would not possess weapons. It was right, on the other hand, to say with reference to the several disturbances which had given rise to the necessity, if necessity there were, for legislation of the character proposed, that unless arms were got rid of in some way, there was a possibility of the legislation being to a large extent abortive. Upon the whole, however, he thought it would be better for him to submit the consideration which had occurred to him on this topic to the House. He had now stated at greater length than he intended, but, perhaps, not at greater length than he was bound to do, why he had taken the responsibility of pursuing the main features of such a measure, as he thought that they ought, at any rate, to consider during this Session. He was aware that, without the unanimous assent of the House, the motion he proposed to place in Mr. Speaker's hands could not be adopted, but, inasmuch as the giving of notice was a form, and as the days of the Session were now very short, and as what was practically of consequence was, that they should come to the discussion of the subject, if it was to be at all discussed, at as early a period, and have as long a time for its consideration as possible, he had thought he was not infringing on the spirit of the rules, even though he might be violating their letter, by asking the House, as he now did, to permit the motion to carry for leave to introduce this Bill. He need hardly say that he had no expectation of being able to mature this Bill

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into law of himself, but he should only ask the House and Government to consider it, and, if it were thought fit to take any steps in this direction, his Bill would be readily handed over to the leaders of the House, with whom must rest hereafter this responsibility, and who alone had power at this stage of maturing this measure. He moved for leave to introduce a Bill (No. 77) for the better prevention of certain crimes of violence in certain parts of Canada, until the end of the next Session of Parliament.

MR. MACKENZIE said no one could help sympathizing with the eloquent and touching remarks of his hon. friend when he referred to the duties of Christian teachers and Christian professors, and no one could help admitting the truth of the remarks the hon. gentleman made respecting the duties which devolved upon Protestants and Catholics alike when times of trouble like these seemed to be impending in Montreal. The Government have looked with extreme anxiety on the state of matters in that city for many months past, and he (Mr. Mackenzie) feared, when an occasion of public excitement arose during last season, that it would have resulted even more disastrously than it did. On that occasion the Government went as far as it was possible to go under the existing laws which governed alike the people and the Government, by tendering to the Chief Magistrate of that city the troops which the Dominion maintained, and placed them at his command free of all charge except that which was unavoidable under the operation of the law. In other words, they were sent to the city for the purpose of maintaining order, but the authorities did not see fit to accept the proposition. It was now tolerably evident that a state of feeling—a state of exasperation—existed on both sides, the one apparently smarting under a sense of injury for something that had passed, the other anticipating some kind of injury in the future. And it was also tolerably clear, from the spirit that had been manifested on both sides, especially by those who seemed somewhat careless of the consequences, that very great danger existed, that the

public peace would be broken and many lives endangered, unless something was done to prevent it. What that something should be, he (Mr. Mackenzie) had been greatly at a loss to know. It was a question which had given the Government some anxiety for some time. It seemed impossible, under a new enactment, to anticipate the action of, or act for the local authorities, as the administration of justice and the enforcement of the laws respecting personal rights were entrusted, and properly entrusted, to the Local Government of the respective Provinces. At the same time, there could not be any doubt as to the wisdom of the remarks made by his hon. friend (Mr. Blake) when he proposed to anticipate those dangers, so far as it was possible for this Parliament to anticipate them, and to make some temporary provision which would help to meet, if it did not fully meet, the difficulties which were anticipated. With regard to the measure which his hon. friend had proposed, there might be a difference of opinion, and there would, no doubt, be great difficulty in executing such a law. It would require a strong force and a very large number of individuals, and then it would be very imperfectly executed; because even now it is impossible, without the active sympathy of the vast majority of the population, to enforce the law which is on the Statute-book with reference to the protection of life and property where extensive public works are carried on.

**MR. HOLTON:** Which sympathy you have.

**MR. MACKENZIE:** His hon. friend from Chateauguay said, "Which sympathy the Government had." No doubt the Government would have the active sympathy of the greater portion of the population who were interested in preserving property at all events, as well as concerning the character of the city of Montreal or any other place. But where there were vast masses of workmen assembled, who were not, perhaps, as well informed as the other classes of the community, and not perhaps so much above the reach of excitement which might be brought on in a moment by imprudent acts com-

mitted by a few persons, it was not easy to obtain that sympathy which was necessary for the observance of the law. But with or without the sympathy of that class, whether large or small, it was evidently the duty of this Parliament and this Government to go as far as possible in anticipating such dangers as he (Mr. Mackenzie) believed might be fairly anticipated by all from the incidents which now, he regretted to say, were of daily occurrence, showing a spreading of lawlessness which was exceedingly to be regretted, and which it is exceedingly desirable should be repressed at the earliest possible moment and in the best possible manner. He entirely concurred in the necessity for some measure, and he saw no measure better calculated to secure the object than that which his hon. friend had proposed. It would be desirable, if the House looked favourably upon the proposition which the hon. member for South Bruce had made, that it should be considered as speedily as possible by a Select Special Committee, composed of those who have had some experience in governing the country and in the execution of its laws, and that the second reading should be had at as early a period as possible, in order that the Bill should be made as perfect as could be in order to carry out the intentions of the promoter. To that end the Government would not only gladly take charge of the measure which his hon. friend had prepared, but would in every way facilitate, as far as it was possible, its reaching that stage when the Government could take charge of it.

*Bill read the first time.*

**MR. BLAKE** moved the second reading of the Bill.

**MR. HOLTON** said he hoped that this would take place at once. The position was a very grave one. He was a citizen of Montreal himself and the indications of the last few days were of the most urgent character as to the necessity of something being done to prevent even graver evils than had yet arisen. He hoped, therefore, that there would be no objection on a point of form, for there could be no surprise taken. If this Bill went on

the Order Paper in the ordinary way for the second reading to-morrow, it could only be taken up by common consent on Wednesday next, and, therefore, he hoped that the House would consent to the second reading to-day, with the understanding that it was to be referred to a Select Committee composed of members competent to deal with subjects of this importance, from both sides of the House.

MR. LANGEVIN said that if the Bill was to be taken charge of by the Government it might come up to-morrow or on any other day when the Government brought up its measures. The reason why he thought that the Bill should be postponed until to-morrow was this: none of the members for the City of Montreal, to which the hon. member for South Bruce wished to apply this law, were here, and besides, the hon. the Minister of Justice was also absent, and this measure should certainly not be passed beyond its first reading in the absence of these hon. gentlemen. He did not ask for this delay because he did not desire to throw any obstacle in the way of the Bill.

MR. HOLTON: Of course not. *Cà se comprit.*

MR. LANGEVIN said it was very well for the hon. gentleman to say this. The hon. gentleman had always a certain way to interpret matters, but if he had the charity which his hon. friend the member for South Bruce had suggested others should have, perhaps the hon. gentleman would be a little more charitable. But his request was only reasonable. The Bill could be deferred until to-morrow. The reasons which he gave for postponing it were good, and he had no doubt that the hon. member for South Bruce would himself see that there was no reason why they should not postpone the second reading until to-morrow, especially as the Government had taken charge of it.

MR. BLAKE said that, of course, any suggestion of this description ended the question. It was only by unanimous consent that the second reading could now be moved. He had only done so because he felt that it would

be unfair to ask the Government to take the responsibility, at a moment's notice, of assuming charge of a Bill which no member of the Government had had an opportunity of seeing or of knowing anything about until he spoke; otherwise, he would have asked the Government at once to take charge of it. Unless a special order was made, this measure would not go on the Government Orders to-morrow. If an adjustment could be arrived at, although it would remain in his name at this stage, his hon. friend (Mr. Mackenzie) might to-morrow move, at the opening of the House, to take charge of it, and place it on the Government Orders, and then they would reach a satisfactory result. In the meantime, the printing of the measure might be expedited.

MR. MACKENZIE: It will stand for second reading until to-morrow, and I will then ask the House to put it on the Government Orders. It will stand on the notice paper as a Government Order.

#### PRINTING COMMITTEE.

##### MOTION TO ADOPT REPORTS.

MR. ROSS (West Middlesex) moved the adoption of the 6th and 7th reports of both Houses on the printing of Parliament. He said that a considerable reduction in the number of documents distributed among members of the House was provided for. They had, however, provided for a pretty good reserve to be kept in the distribution office, which could be obtained in case of necessity. The printing expenditure was growing rapidly; but it was calculated that the changes proposed would effect a saving of 20 per cent., amounting to about \$12,000. While they had reduced the number of documents distributed among members and sent to the Local Legislatures, they had made no reduction regarding the newspapers, which would receive copies as before. They had also added to the list all the public libraries known to the Committee, as well as the libraries of the Mechanics' Institutes in the various cities of the Dominion. He trusted that the House would see that they desired to practice in this respect

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a reasonable economy, and, at the same time, not at all impair the benefits which were supposed to accrue from the very general and liberal distribution of public documents.

MR. LANGEVIN said he objected to the supply of the Votes and Proceedings being confined to one for each member, as it was important that they should have a copy to send to their constituents. They could not find out the feelings of their constituents unless they could send them copies of the measures which were to be brought before the House. It was carrying the thing too far to deprive them of copies to send to their friends. As regarded the Journals of the House, they ought to have their two copies as before.

MR. YOUNG said he had observed of late that the printing of the House had largely increased. During the first years of Confederation the cost was \$30,000, or thereabouts, and now it was \$70,000. He thought the reduction should be made in not printing so many useless returns, and not in the documents which were necessary for the members to form a correct opinion of what was going on in the House. They had, at first, five copies of the Votes and Proceedings, but it was now proposed to reduce them to one. He did not consider it a proper economy either to decrease the number of departmental reports supplied to members.

MR. BOWELL asked who should be the judge as to what constituted useless returns.

MR. YOUNG said the Committee were, as a whole, the best judges as to what should be printed, and not the gentleman who moved for the returns.

MR. APPLEBY said it was false economy, and he thought more, instead of less, of the public documents should be printed.

MR. ROSS (West Middlesex) said the Committee had exercised the greatest prudence in printing the returns. Last year some 200 returns had been moved for, and the Committee had the greatest difficulty in deciding which documents should be printed. If they were to attempt to reach their constituents with the de-

partmental reports, four copies would go a very small distance in meeting the wants of a constituency. They must depend as a rule for the circulation of their reports upon the newspapers, which presented them to the public. They were now doing the printing of the Dominion of Canada, which included seven Provinces, for one-third of the cost incurred for printing by the Parliament of the old Province of Canada.

MR. TUPPER said he agreed that it was not desirable to practice undue economy in this relation. He found an increasing desire all over the country to obtain copies of public documents. He proposed that the report should be referred back to the Committee with the view of their reconsidering it.

MR. MACKENZIE said he thought it would be scarcely a courteous course, for he knew the vast amount of labour which had been given by the Committee to the report. The printing expenses had gone on increasing, and he thought the more courteous method would be to allow the report to be adopted, and the Committee, after what had been said in the House, might bring in a supplementary report.

MR. SPEAKER suggested that if the report were adopted, it would not be in the power of the House to adopt a supplementary report, materially altering the facts of the original report.

SIR JOHN A. MACDONALD suggested that the amendment should be withdrawn, and that the Chairman of the Printing Committee should not press his report to-day. It would give an opportunity, after what had been said, to amend the report.

MR. ROSS said the Senate had adopted the report, but he left the matter in the hands of the House.

MR. MACKENZIE said if the Committee stood to their report, he should feel bound to support them. The course, however, suggested by the hon. member for Kingston seemed to him advisable, supposing the Committee were agreeable to it.

MR. MITCHELL said he would support the Committee, especially as their report was in the direction of economy.

MR. DeCOSMOS said he thought the Committee were very successful in carrying economy to meanness. He considered that the distribution of public documents was the diffusion of intelligence, and he thought the House should put its foot down on such parsimony.

MR. WALLACE said that, as a matter of principle, no one man had a right to get public information at public expense which was denied to his fellow-men. If documents were distributed to one, they should be distributed to all throughout the Dominion, which would be an enormous expense. The Committee had acted wisely. Many members sent these documents to their constituents, not for the purpose of giving information, but to let the latter know they were in existence.

MR. COOK said he was very anxious to get public documents distributed among his own constituents, who were very much interested in them. He had had those documents printed at his own expense.

Motion agreed to.

#### OFFICIAL REPORTING OF THE DEBATES.

##### MOTION TO ADOPT REPORT.

MR. ROSS moved the adoption of the report of the Select Committee on the official reports of the debates of this House, which read as follows:—

“The Committee finding that at this late period of the Session, difficulties have presented themselves in maturing any plan for the official reporting of the Debates for the next Session of Parliament, respectfully recommend that His Honour the Speaker be empowered to make such arrangements during the recess as will ensure the official notes of the Debates of next Session, till such time as the House may take action in the matter.”

The Committee was not prepared to make any specific recommendation for the continuance of the present system. The arrangement recommended would enable the next Parliament to have an official report of

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the first week's debates, and thus prevent any break in the reporting if the system were desired to be continued.

MR. BLAKE said it would be better to leave the whole arrangements in the hands of the next Parliament. In any case, under this arrangement, there would be no efficient report of the first fortnight's debate.

MR. TUPPER said the House had decided, after a great deal of discussion in various Sessions, that it was desirable to have a *Hansard*. The present plan provided to have notes taken for the early period of next Session, until Parliament could decide whether to continue the *Hansard* or not. If Parliament decided not to continue it, the expense of taking these notes would be trifling, and if the *Hansard* were continued, it would be an advantage to have a report of the debates at the opening of the Session, and not allow any break in the report. It was very desirable the *Hansard* should be kept up.

MR. BUNSTER said the only safeguard the people had for accurate information was the *Hansard*, and he would regret very much to see it done away with. The only thing to be regretted was that it was not brought out earlier, but that was not the fault of the reporters. He had made a speech on the floor of this House, and the very same evening had received it from them; but it was a month before he received it in print. The Printing Committee, therefore, should see that the printing was done more expeditiously.

MR. MACDONNELL said he did not look on the *Hansard* as an authentic record. He believed it was a useless expenditure and ought to be abolished.

MR. DYMOND said he had never been favourable to the publication of the *Hansard* in the form adopted by the House, although he had always regarded it as expedient that there should be an authoritative report of the proceedings of Parliament. The present plan had practically broken down, and the House had derived little or no advantage from an attempt at a daily issue. The Committee had chosen not to take any steps to pledge the next

Parliament to the publication of the *Hansard*, but desired that the Speaker be empowered to engage reporters to take notes pending the decision of the House.

MR. HOLTON thought there could be no doubt that the House was tired of the *Hansard*. Two years ago he had taken the responsibility of stopping the *Hansard*, and he felt persuaded at the time the majority of the House was in sympathy with him, and he was sure that at this moment a vast majority of members were opposed to the *Hansard*. The work had been badly done, *in primis*, and the system had led to the prolongation of debates, and the making of long speeches by members who had nothing to say, to an extent that was utterly wearisome to members who only addressed the House when they had something serious to say; and therefore he thought it was inexpedient to adopt the report. Though not inclined to press the point of order, he thought it was very undesirable that this report should be adopted.

MR. MACKENZIE said there was a difference of opinion in the House as to this report. If it could be got in something of the style of the English reports it would be desirable; but these reports were not prepared in that style. An attempt, in fact, at an almost *verbatim* report was made occasionally; but at the same time when these reports were condensed, they were sometimes so very inaccurate, whatever the reason for it might be, as to make them practically valueless as accurate statements of what the members said. He himself was, as a general rule, in favour of an official report; but the reports were not of the kind which made the continuation of the present system desirable. He did not know whether he had reason to complain personally of these reports, as he had not time to read them; but complaints coming from other members were very general, and the hon. member for Chateauguay had given other reasons why the report should not be adopted. He Mr. (MacKenzie) did not feel called upon, as a member of the Government, to take any particular line of conduct with

regard to these reports that other members of this House might think it necessary to follow; but if there should be a vote against the continuation of the *Hansard*, with his present opinions, he should be obliged to support that view of the case.

MR. MITCHELL said he was strongly in favour of the *Hansard*, which was a necessity to keep an accurate record of the views expressed by hon. members. His experience of the party press was that it only gave a full report of the utterances of hon. gentlemen in sympathy with its side of politics, and even this was not as accurate and as correct as was desirable. He believed that *Hansard* was the only just and fair representation of the utterances of hon. members that was published. The hon. the First Minister said that it was not accurate; but then the hon. gentleman added that he never read it, and how he could form a very accurate opinion in this respect, when he admitted that he never read it, was beyond his (Mr. Mitchell's) ken. He had, occasionally, looked over *Hansard*, and he found that the utterances of hon. gentlemen were wonderfully well given. The reporters had an immense deal of labour to perform, especially when hon. gentlemen opposite forced them to sit until 3 or 4 o'clock in the morning, and sometimes all the next day. They had tried it the first Session or two after Confederation, and then done without it; and the conclusion he had arrived at was that, whatever the defects of *Hansard* were, it had been of real benefit, as a work of reference, to hon. members on both sides of the House, and would be to those who came after them. He would, therefore, vote to sustain the *Hansard*.

SIR JOHN A. MACDONALD said the proposition of the Committee was so reasonable, as provision was simply made for note-taking until it was decided by the next Parliament whether *Hansard* would be continued or not, that he was surprised that any hon. member, whatever his ideas might be as to the usefulness of the *Hansard*, should object to it, and favour a course by which the next Parliament would be prevented from doing as it pleased.

The debate on the Address was generally important, and this was always the case at the beginning of a new Parliament, and it was desirable that an authentic record of it should be kept. He thought it was but right that this should be done, and the expense would be so small that no objection should be made to it. The action of hon. gentlemen opposite against *Hansard* was a great compliment from the majority to the minority. The majority was afraid of the effect of the *Hansard*, and they tried to stifle public opinion in this way and to deprive the public of the means of reading, in authentic form, what was stated on both sides of the House, in the arguments used in Parliament. This was a great compliment to the Opposition.

MR. HOLTON: Accept the compliment, and give us the benefit.

SIR JOHN A. MACDONALD: Of silence.

MR. HOLTON: Not of silence, but of reasonable discussion.

SIR JOHN A. MACDONALD said it would not do for the majority of the House to be known as the Know-Nothing party in trying to stifle the *Hansard*. He did not think that they ought to be called the Lack Learning Parliament, a name that was given in England very many centuries ago; and the majority would be earning this name if they tried to put down the *Hansard*, or some authentic record, or what ought to be authentic at all events of what was stated in the House. It was quite true what his hon. friend from Northumberland stated; they could never get a true report or anything like an approximate to a true report of what happened in Parliament unless they had an official report of this kind. He supposed that the newspapers were anxious to be as fair as possible, and superior to every implication as to distorting what a member said in the House. But they would give prominence and length and longitude and latitude to members of their side of politics, and a considerable principle of condensation, and great hydraulic pressure would be exercised with regard to the speeches made by hon. gentlemen on the other side; and

SIR JOHN A. MACDONALD.

this involved the necessity, if any member desired to know both sides, of subscribing for the leading journals on both sides; and he was quite sure that the hon. member for Chateauguay did not want to pollute his study or his library with such obnoxious literature as was to be found in such abominable principles as were inculcated in Conservative papers. And the hon. gentleman would now have to do it.

MR. HOLTON: He does it all the time.

SIR JOHN A. MACDONALD: That accounts for the lack of principle which the hon. gentleman had exhibited this Session. The hon. gentleman had been insensibly corrupted by reading this obnoxious literature. He thought that it was neither fair nor just to the new Parliament to deprive it of the opportunity of having, if it desired to pursue this course, a complete *Hansard* next Session. If the *Hansard* was not established for three weeks after the Session opened, the notes taken could be written up at leisure, while henceforward, the issue could be made daily.

MR. MACDONNELL said that the *Hansard* was not generally circulated; as a record for the benefit of the country it was entirely useless. The country had been informed of the proceedings entirely through the Gallery.

SIR JOHN A. MACDONALD said he thought that every member had received frequent letters asking for copies of *Hansard*. It was true that every man could not get a copy, but every public library had them, as well as all members of Parliament, and continual reference was made to them.

MR. DECOSMOS said he believed that the attempt which was made to suppress *Hansard* was a mistake; without *Hansard* they would have no reliable organ to communicate the utterances of hon. gentlemen to the Upper House and the people of the country. The cost was a mere nothing in comparison with the advantage gained by the country in having a full, fair and complete report of what hon. gentlemen said on public questions. He further believed that the attempt to

suppress *Hansard* was made in the interests of the great newspapers. It was in the interests of certain newspapers to mislead the people of this country, no matter what politics these journals represented.

MR. MACKENZIE: You have the *Colonist*.

MR. DECOSMOS said that the hon. gentleman referred to the *Colonist*; but he could congratulate the hon. gentleman on having secured as his organ, the biggest liar, he believed, in British Columbia. The *Standard* might sometimes tell lies; but it did generally speak the truth. The hon. member for South Bruce had made an eloquent speech a short time previous, and desired to prevent people using firearms and side arms and tooth-picks, and all that sort of thing; and he would suggest to the hon. gentleman that he should include in the Bill the carrying of any such incendiary thing, published in the Dominion, as *Hansard*, which would carry utterances broad cast over the country to the injury possibly of the hon. gentleman's party, or the gentlemen of the Opposition. He held in his hand a copy of the *Congressional Globe*, which was published every morning in the city of Washington. He was assured by the reporters that the delay which had occurred in the publication of *Hansard* was not their fault, but the fault of the printers, who did not employ men at night, as was done in morning newspaper offices. He was assured further by Messrs. McLean and Rogers, that the cost of *Hansard*, if it was produced daily, would not be increased at all. He considered the suppression of *Hansard* a retrograde step on the part of the House.

MR. SPEAKER said that an entirely new question arose regarding the point of order. This matter was of very considerable interest, as it would form a precedent. The hon. member for Chateauguay took an objection, which would be quite sound in the English Parliament. The old custom of introducing Bills for the expenditure of money, which was to be borne out of the appropriations that were thereafter made by Parliament on resolutions and addresses, was found to be so objectionable that in 186; a standing order

of the House was passed in England changing the practice. But our Constitutional Act superseded the standing orders of the English House of Commons with reference to matters of this kind, and thus stated in the 54th Section: "The House shall not adopt or pass any vote, resolution, address or Bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended by a message of the Governor-General in the Session in which such vote, resolution, address or Bill is proposed." The question was whether under a general appropriation recommended by the Governor-General, even though it had not yet reached the stage where that appropriation had received his assent, it was not open to anybody to propose, as in this case, the expenditure of a portion of the money for a small portion of the work for which it was designed. He did not think that the report, which the House was now asked to adopt, should appear on the journals in its present shape. He had no doubt that it was the intention of the House that they should adhere strictly to the Statute, and that the money should only be expended for the appropriation after it reached the final stage and became law. He believed that this was an entirely new question; but he was of opinion that if the report appeared on the journals it should go on in such a shape as to leave no doubt as to the regularity of the proceedings. The House was quite aware that there was provision already made for reporting the debates for the coming year in the Estimates, which had been duly brought down by Message from His Excellency. The Committee of Supply had already voted the provision, but the House had yet to concur in it. It would undoubtedly be advisable to have the report so amended that it would appear that any expense to be incurred under its recommendation would only be paid when the appropriation in question had been duly sanctioned by Parliament.

MR. HOLTON said the question of the regularity of the appropriation need not be discussed. They could make no appropriation which was not recommended by the Crown.

Question put, and motion *negatived* on the following division :

MAP OF THE ROUTE OF THE PACIFIC RAILWAY.

REMARKS.

YEAS :

Messieurs.

Appleby,	Macdonald (Kingston),
Béchar, d,	McDonald (Cape
Bowell,	Breton),
Brooks,	McDougall (Three
Bunster,	Rivers),
Cameron,	McCallum,
Campbell,	McCarthy,
Chariton,	McInnes,
Colby,	McQuade,
Cook,	Mitchell,
Costigan,	Orton,
DeCosmos,	Paterson,
Dewdney,	Perry,
Dugas,	Plait,
Dymond,	Plumb,
Farrow,	Robinson,
Fleming,	Rochester,
Flesher,	Ross (Middlesex),
Galbraith,	Ryan,
Gibbs (South Ontario),	Sinclair,
Gillmor,	Thompson (Cariboo),
Haddow,	Tupper,
Jones, (Halifax),	Wallace (South Nor-
Jones (South Leeds),	folk),
Kirkpatrick,	White (East Hastings),
Langevin,	White (North Renfrew)
Little,	Young.—51.

NAYS :

Messieurs

Bain,	Horton,
Bernier,	Huntington,
Bertram,	Irving,
Biggar,	Kerr,
Blackburn,	Killam,
Blain,	Langlois,
Blake,	Laurier,
Borden,	MacDonnell (Inverness)
Borron,	McDougall (South
Bourassa,	Renfrew),
Bowman,	Mackay (Cape Breton)
Brouse,	Mackenzie,
Brown,	McCraze,
Buell,	McGregor,
Burk,	McNab,
Burpee (St. John),	Metcalfe,
Burpee (Sunbury),	Mills,
Carmichael,	Monteith,
Cartwright,	Pettes,
Casgrain,	Pickard,
Cheval,	Ray,
Church,	Ross (Durham),
Coffin,	Ross (Prince Edward)
Coupal,	Rymal,
Ferris,	Scriven,
Fiset,	Shibley,
Flynn,	Skinner,
Gibson,	Smith (Peel)
Gillies,	Smith (Westmoreland)
Greenway,	Snider,
Guthrie,	Taschereau,
Hagar,	Thompson (Haldimand)
Hall,	Trow,
Higinbotham,	Wallace, (Albert),
Holton,	Wood.—69.

MR. HOLTON.

MR. DECOSMOS said he wished to call the attention of the hon. the First Minister to the fact that a map had been prepared showing the route of the Pacific Railway, and, although the last report had been sent to the House, and in possession of the members, this map had not been produced. The map, he believed, contained an idea as to the route where cereals could be grown, and where they could not; and he thought it important, in order to arrive at an accurate conclusion, and to state intelligently the route of the railway, that this map should be communicated to the House as soon as possible.

MR. MACKENZIE said there was a map in preparation, with a view to arrive at as accurate information as possible of the nature of the soil on the route to be traversed by the railway from Lake Winnipeg westward. This map had been submitted to the chief engineer, who did not consider it correct, and, therefore, it would not be submitted to the House until correct. The map of last year gave substantially all the routes proposed. It depended altogether on the engineering features of the country where the road would be located. The hon. gentleman would find, from Mr. Fleming's report, that the decision was practically between two routes, Butc Inlet and Burrard Inlet routes.

MR. TUPPER said he would draw the attention of the Minister of Public Works to a statement contained in the report of the acting engineer, the gentleman who had charge of the service last year. This matter was one of vital importance, yet the map to which he had referred, as containing the information necessary to an accurate reading of the report of the acting engineer, had not been furnished. On page 25 of the report it was stated :

" By referring to the map and Admiralty chart accompanying this report, it will be seen that near Lake Gumas the line to Port Moody takes a bend north-westwards, carrying the line further away from the passage

to the ocean by the Strait of San Juan de Fuca, while the line to Holmes harbour leads directly to it. There can be no doubt whatever that, if the line comes down by the Fraser Valley Route, this must be inevitably the ocean terminus. It is impossible to force commerce out of its natural channel for any length of time; it will find the most convenient route despite national boundaries."

He trusted there was no necessity for suppressing the map, without which the report, to a considerable extent, was unintelligible.

Mr. MACKENZIE said the hon. gentleman had no right to say the Government were suppressing anything. Everything had been brought down which the Chief Engineer had embodied in his report. If the Chief Engineer had said the map was inaccurate, it was not to be depended on as any authority whatever. As to Holmes' harbour, that was a place in the United States. He did not think any map of the place had been struck off which could be brought down.

Mr. DECOSMOS said it would be a very great mistake if these maps were not brought down. He had received a letter from Washington, from a gentleman connected with the Northern Pacific Railway. They proposed to build, within the next six months, on the Pacific coast, 100 miles of railway, and a Bill had been passed the other day by the Senate of the United States in which they proposed to run this line north of Tacoma, which would reach the point referred to as Holmes' Harbour. Our line of railway would be tapped by this sixty miles line, and the chief city of Canada would be made a United States town.

#### TENDERS FOR THE COMPLETION OF THE PEMBINA BRANCH.

##### QUESTION.

Mr. RYAN enquired, Whether any tender for the ironing and completion of the Pembina branch had been accepted; and if not, why not?

Mr. MACKENZIE said tenders had not been accepted because the Government was not in a position to say the road would be built. Until they ascertained whether they could have communication south of Pembina, they

did not propose to build it. Until the Government had authority from Parliament to enter into a lease, they could not do so.

#### COLCHESTER (N.S.) MAIL SERVICE.

##### MOTION FOR CORRESPONDENCE.

Mr. TUPPER moved for copies of all correspondence, reports and memorials in reference to increased mail accommodation from Brookfield to Upper Stewiacke, in the county of Colchester.

*Motion agreed to.*

Mr. TUPPER moved for copies of all correspondence, reports and memorials in reference to the change of mail route between Great Village and Five Islands, *via* Portapique Mountain, in the county of Colchester.

*Motion agreed to.*

#### TOLLS ON THE UPPER OTTAWA.

##### MOTION FOR ORDERS IN COUNCIL.

Mr. WHITE (North Renfrew) moved for copies of all Orders in Council fixing the rate of tolls to be collected by the Upper Ottawa Improvement Company on saw logs and timber passing through their works. He said an unjust discrimination was made between tolls levied on saw logs and those on timber. Timber was charged twelve times as much as saw logs. The Minister of Public Works would bear him out in stating that on the Government works the charge for timber was in no case higher than three times the amount for saw logs. He desired to know whether the Government had consented to such a tariff.

Mr. McDUGALL (South Renfrew) said he approved of the motion of the hon. member. The company was in hands of persons more largely interested in saw logs than on square timber. Square timber should not be charged over three times the amount charged on saw logs. He thought that the prices ought to be based on the cubic contents, whether the timber was square or round. The present system was unjust.

*Motion agreed to.*

REMOVAL OF COUNTY JUDGE AND  
STIPENDIARY MAGISTRATE.

## MOTION FOR RETURN.

Mr. BUNSTER moved for a copy of any petition or petitions to His Excellency, or any member of his Government, praying for the removal of Mr. W. R. Spaulding, Stipendiary Magistrate at Nanaimo and Comox, and for such correspondence as may have taken place with reference thereto, either between His Excellency's Government and the Government of British Columbia, or with any other person or authority. He said that he had a rather delicate duty to perform, but it was one which he felt was incumbent on him in the discharge of his duty to his constituents. Mr. Spaulding, the gentleman referred to in the Address was now advanced in years, and owing to the fact of his being a non professional man and totally unacquainted with law, besides being exceedingly ignorant with regard to his general duties and the requirements of his position, general discontent existed in the District over his continuance in office. He was sorry the hon. the Minister of Justice was not in his place during the discussion of this matter, as Mr. Spaulding being under his supervision, the people would look to the Minister of Justice to have the wrong and injury they were suffering under remedied. He hoped, however, that in the absence of the hon. Minister, that the head of the Government would see that his complaint and the complaint of his constituents was not left unheeded. During last season, this magistrate, who was appointed by the late lamented Sir Jas. Douglas, when this gentleman did not have better material to choose from, and, perhaps, this officer was forced on him through letters received from Downing Street, had sent incorrect communications to the Government of British Columbia. As there was no telegraph between Victoria and Nanaimo, the Government was unable to verify the statement, and one of the men-of-war was ordered to proceed to Nanaimo, for which step there was no occasion in the world. Mr. Spaulding reported that the miners had struck, but this was not the case. They had only com-

MR. McDougall.

plained of injustice done them with regard to the weight of coal they were taking out at the time; and this was proved. Mr. Spaulding committed four of them for trial, but they were afterwards acquitted by a jury of their countrymen, before a legal gentleman who did understand law. For the information of the Government, he would read an Address of the Legislative Assembly, as follows :

## "PETITION OF MINERS.

"WELLINGTON, March 1st, 1876.

"This Petition to His Excellency the Lieutenant-Governor of the Province of British Columbia, humbly sheweth :—

"1st. That your petitioners are a community of miners residing at Wellington, near Nanaimo. That they view with deep regret the fact that certain interested parties have made false representations with respect to the behaviour of the miners in that community now out on *strike* :

"2nd. That your petitioners have gone out on strike, as the only means in their power, for the redress of certain deep and urgent wrongs affecting their liberties as men, and their means of obtaining support for themselves, their wives, and families as miners :

"3rd. That your petitioners aver that they deeply feel the disgrace put upon them, as law-abiding citizens, by the sending of an armed force into their midst :

"4th. That we assert and substantiate by our names that no breach of the peace has been attempted. That we have no intention of making any such breach :

"5th. And that we are ready to turn out to a man for the maintenance of peace and for the preservation of life and property.

"6th. That your petitioners humbly pray that a Commission be appointed of good men and true, who are not interested in the coal mining business personally, for the purpose of enquiring into the charges brought against the owners by the miners, and if those charges are found to be correct that the said charges may be redressed, and the order and well-being of the community restored.

"In witness to the before-mentioned statement we have hereunto subscribed our names.

"And your petitioners will ever pray, etc.

"(Signed),

"JOSEPH DORE,

"W. O. BAKER,

"THOMAS GOLDSWORTHY,

"JOSEPH HARDY,

"HENRY BIGGS,

"And 101 others."

This officer despatched a body of armed militiamen to the district of



Nanaimo, in the Spring of 1877. Three companies of the militia were sent there; but the miners had made no resistance whatever to the Sheriff, with one exception; and this miner, he believed, was convicted, and sentenced to four months imprisonment without hard labour; but on the case being properly represented to the Government at Ottawa, the Minister of Justice released him after he had been for a month or so in prison. The reason why this miner had resisted the Sheriff was, because the Sheriff wanted to clear the house, in which the man had a sick child. The wife resisted, and appealed to the Sheriff, but the owner of the mine insisted that this man should be driven off the ground. There was not a more peaceable or a better citizen in the Dominion than this very man, and hon. gentlemen could readily understand that when a man had a child ill of diphtheria, and when such removal would have probably caused the loss of the child's life, that such action should be protested against. This was the only case of resistance, and even it was not one of resistance, this man merely did not comply with the Sheriff's wish to have him removed. He would assure the House that Mr. Spaulding was not fit to occupy the position he held; otherwise he would not have brought on this trouble. The report of this local "Dogberry" was as follows:—

"STIPENDIARY MAGISTRATE'S OFFICE,  
Nanaimo, 25th February, 1877.

"SIR,—I have the honour herewith to transmit, for your information, a communication received by me on this date, from Messrs. Dunsmuir, Diggle & Company.

"It appears to me that the miners hitherto employed at the Wellington Colliery are determined to proceed to extremities, and have already committed such acts of violence as will necessitate the employment of an armed force to reduce them to order and compel them to respect the law.

"I would therefore suggest that one of Her Majesty's ships should be dispatched as early as possible to this station, for the purpose of overawing the miners, and, if need be, enforcing obedience to authority.

"This letter will be conveyed to Victoria by Lieutenant Diggle, R.N., who will afford Your Excellency any additional information that may be required.

"I have, etc.,

(Signed)

"WARNER R. SPALDING,  
County Court Judge and S.M.

[ENCLOSURE.]

"Messrs. Dunsmuir, Diggle & Co. to Mr. Spaulding.

"NANAIMO,

"Sunday, 25th February, 1877

"SIR,—On account of a strike of our miners at Wellington for an advance per ton, which we refused to grant, we discharged them, and procured thirty-three men from San Francisco. These men agreed to work, and it was intended that they should have commenced to-morrow morning; but to-day the miners formerly employed came down in a body to Departure Bay, where we had provided accommodation for the new hands, and, by threats and violence, compelled them to leave and come to Nanaimo; we, therefore, beg that you, as Magistrate, will grant protection to those men whom we have employed and who are willing to work if protected.

"We have, etc.,

(Signed)

"DUNSMUIR, DIGGLE & Co."

A greater fabrication or misstatement of fact was never made by any person occupying an official position than to say that these men intended to resort to violence; and the best proof of this was that they were tried before twelve jurymen of Victoria who knew nothing about the case, and nothing was proved against them. They were honourably discharged, and the Judge on the Bench was compelled to say that they were discharged without a stain on their character, Hogan excepted, who had had the sick child in his house. This was the sort of style of this magistrate, who wanted to overawe and override everybody in a brutal, tyrannical way. He said this without fear of contradiction; and he would much rather have him (Mr. Spaulding) here to hear him say so than otherwise. Mr. Spaulding, as he had stated before, was an ignorant man, and did not understand the administration of justice, or the wants of the miners, or how to discharge the various duties connected with his office. Hence the petition for which he moved was presented with a view to securing his removal; he hoped that this would be done, and that the Government would appoint to the office a professional man, who understood law, and who had some respect for humanity and justice. He would now read from the report of the Grand Jury which acquitted these

men, and which certainly ought to be proof, sufficiently substantiated, that this man (Spaulding) was now totally incompetent, though he might have suited Nanaimo 20 years ago, when few people lived there. This was the report of the owner of the mine:—

“WELLINGTON COLLIERY,  
“16th January, 1878.

“DEAR SIR,—In answer to your letter by last mail, relative to two miners being burned with gas in the Wellington Mine, I knew nothing of it until I saw the report in the *Press*, but was aware that the mine was not working, nor had been working for over a week previous to the insertion in the *Press* of the item.

“Yours, etc.,  
(Signed) “R. DUNSMUIR.”

The presentment of the Grand Jury was as follows:—

“SIR MATTHEW BAILLIE BEGBIE, K.C.B.,  
“*Chief Justice of British Columbia.*

“I have the honour to present to your Lordship, on behalf of the Grand Jury, that they, in common with the people of Nanaimo, regretfully feel that a serious stigma has been cast upon this district by the fact that a military force has been called in to assist the civil authorities in the execution of their duty, in the case of the ejection of certain persons at Wellington; but we beg respectfully to remonstrate, that in our humble opinion, had the civil officer, viz., the Sheriff, attempted to execute his duty with judgment on his first visit, that no opposition would have been offered to the officers of the law.

“That, no act of violence having been committed, and the law having been exceeded but in the retained occupation of the tenements, the stigma cast upon this community by the calling in of the military, was caused only by the incapacity of the Sheriff in the execution of his duty, and that misrepresentations must have been made to have induced the Government to proceed to such extreme measures.

“I have, etc.,  
(Signed) “JAS. BROWN,  
“*Foreman of Grand Jury.*

“Nanaimo, B.C., May 9th, 1877.”

That was the great trouble, and if Spaulding had been a proper officer, there would have been no occasion for it whatever. The men did not want to leave; but these persons felt like driving these miners out of the country, but the people did not feel that it was

MR. BUNSTER.

desirable to drive British subjects away from the country, as it cost a considerable sum to get them there. These men were making from \$3 to \$4 a day, and they would have made more if they had received their dues from their employers. There was only one of the employers that he would accuse of resorting to any such thing, and this man fairly admitted it, and compromised with one miner; and owing to the fact that this was proven in court, the men were discharged. He wished to get some promise from the Government that they would send out there some legal gentleman who could properly fill the position. He believed that as this was an Imperial appointment, Mr. Spaulding would be entitled to a pension similar to that granted to several other officials when British Columbia entered the Dominion. Through the foolish acts of this officer, the miners had almost been made guilty of riotous conduct, and it behoved the Government to take this matter into consideration. A population of something like 2,500 active miners lived in this place; and as they paid a considerable sum into the public Treasury in one way or another, it was the duty of the Government to consider their grievances. He did not think that any respectable member of the Bar would accept the position at the present salary; but some gentlemen who wished to emigrate to British Columbia, might accept it in order to go out to that Province. In connection with this subject, he would read from a letter which was not marked private:—

27th February, 1878.

“How about the petition against Spaulding; all hands are watching you; I heard a fellow say the other day that you were throwing cold water upon it: that Spaulding had won you over. I told him it was a d—d lie; that you did not forward the petition, and had they have wished to do anything, their proper course would be through you. Hogan swears no other man but you had anything to do or say in the matter, and that it was forwarded through you, and they are all on the lookout to see what course you take. Hogan says you have kept out of his road for the last twice you were at Nanaimo. Now, Spaulding has not a friend in the country—go for him.

“Faithfully yours, E.”

He had been asking for this petition ever since he has been here. This petition was signed by something like 500 residents of Nanaimo and Comox. He would also read what the *Standard* said in this regard :—

COUNTY COURT JUDGE SPAULDING.

“The Dominion Government ought to be informed of this gentleman’s neglect of his duties. He often remains away a fortnight at a time at Comox, fishing and shooting ; and last Friday, we are informed, he left for another week’s excursion ; this time on a political mission to the same place in behalf of the Elliott Government in connection with the Deep Bay affair. The people of Nanaimo should send a strong remonstrance to the Dominion Minister of Justice, pointing out the injury to the district caused by neglect of his judicial duties by the County Court Judge.

He might say that ever since he had had the honour of holding a seat in this Parliament, strong complaints had been made against Mr. Spaulding, but he had abstained from calling attention to them until now ; forbearance had ceased to be a virtue, and it would be criminal on his part to remain longer silent. Mr. Spaulding had had a man-of-war sent up to Nanaimo to overawe the miners, who were as good, true, loyal and peaceable as any of Her Majesty’s subjects ; and men who would fight as quickly for their country as any in the Dominion ; and if he was not mistaken, a little quicker. They were entitled to consideration and justice. They were bailed out, and this fact alone was sufficient proof as to their respectability. These men were badly used ; and they paid the owner of the mines \$3 a month for cabins, for which some of the hon. members would be sorry to give three cents. The proprietor wanted to use brute force to drive the men away, and import others in their places, because, as all knew, wages had fallen on the Pacific coast. The conduct of Spaulding was simply unbearable ; and therefore, although much against his will, he felt it to be his bounden duty to draw the attention of the Government to the matter, and to see whether they would send a better man even from Canada to take the offending official’s place. This was a matter of

justice, as well as a question of great importance, as sometimes from 9 to 10 ships lying at this place, and this fact required the constant attendance of the magistrate, and of a man who could decide between right and wrong. A man of ability and determination was needed for this position, and this gentleman knew nothing about his duties, inasmuch as he was an old soldier who was pitch-forked into the office on arriving in British Columbia.

MR. DEWDNEY said that he had known Mr. Spaulding for the last 18 years, and he had performed his duties as a magistrate, he (Mr. Dewdney) believed, to the satisfaction of everyone he was brought in contact with. This officer had not only served the country as a magistrate for 18 years, but also in another position before he came to the Province. He was not very well acquainted with the details of the matter brought before the House, but he knew that this was a very serious riot, and that determined action had to be taken. The miners held possession of a certain property belonging to the proprietor of a coal mine, and it was with great difficulty that eventually they were arrested. He was quite sure that, in this relation, Mr. Spaulding had acted in the interests of the country, of the coal owners, and of the Dominion.

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

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After Recess.

Order for resuming the consideration of the proposed motion of Mr. McCarthy, that an Order of The House do issue to the proper officer, for the Return of the original papers made and signed by the Deputy Heads of the different Public Departments purporting to be made in obedience to the Order of this House of the fifth day of March, 1877, as follows :—“ The names of persons appointed to office between the 1st of January and the 7th of November, 1873, the names of the officials whose salaries were increased during the same period ; the names of

those so appointed whose appointments were cancelled subsequent to the 7th of November. A statement shewing whether the positions which were filled up by those whose appointments were cancelled have remained unfilled or have been since filled up—and if so when and by whom—and whether the salaries of those officials which were increased during the period named have been since reduced or increased, and shewing the reduction or increase in each office respectively," read.

MR. MCCARTHY said he had moved for the Order of the House referred to in the motion now under consideration, in order to test the accuracy, which he doubted, of a statement made by the First Minister during the election contest in South Ontario in 1876. That statement was in substance that a number of officials had been appointed to office between the 1st January and the 7th of November, 1873, and that a larger number of officials had their salaries increased; and the allegation was made that these appointments had very largely increased the burdens upon the people. There was no doubt at all that a large number of appointments were made, and it was equally clear that a large number of the salaries were increased during that period; and if that statement had been made without the desire of insinuating that they were improperly made under circumstances which did not authorize them, there would have been no complaint as to the statement of the First Minister. But the inference which was intended to be drawn was that these officers had been improperly created; that the salaries had been improperly increased, and that the new Government had cancelled several of the appointments. He had desired to find out if that were so, because if it were, it was the duty of the new Government to cancel the offices improperly created, and to reduce the salaries improperly increased. On consulting the Public Accounts they all became aware that instead of there being a decrease under the management of the present Administration there had been a very large increase. He was, therefore, astounded at reading the statement

brought down, which was calculated to convey an opposite conclusion. He had made this motion for the purpose of bringing to the notice of the House what he considered to be a contempt of the House, and a very gross impropriety in an answer to an Order of the House. On a close examination of the returns, signed by the Deputy Heads of the different Departments, he found a very material departure from the Order of the House. Instead of bringing down a return as the Order required, showing whether an increase had been made in the salaries of these officials or of the House, who had succeeded the gentleman who occupied the position on the 7th November, 1873, the Order had been made to apply only to those who were appointed to office, and whose salaries had been increased prior to that date. The Government having taken credit for those who had been superannuated, had resigned, or had died between November 1873 and 1877, it would appear, at the first blush, that a very large saving had been effected by the present Administration. Articles published in the *Globe* Newspaper, in September 1877, showed the view which was taken of the return, namely: that it proved there had been a saving of \$200,000 by the present Government. But that return was not an honest return; it was calculated to deceive, and did deceive the country, and he thought it could have been designed for no other object. Credit was taken in all the Departments the death or resignation of officials appointed at that time, and the subsequent appointments and increases did not appear at all. If the return had been a fair and a proper one, it would have shown an increase in the Governor-Generals office of \$400; in the Privy Council office of \$950; in the office of Secretary of State, \$2,840; in the office of the Minister of Public Works, \$8,737.60; in the office of the Minister of Justice, \$4,520; in the Department of the Interior, \$2,500, and a decrease by cancellation of only \$300; in the Department of the Militia, an increase of \$4,050, and a decrease of \$2,700; in the Department of Inland Revenue, an increase of \$11,000, and a decrease of \$5,965; in the Department of Finance,

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an increase of \$9,120, and a decrease of \$3,500; in the office of the Receiver-General, an increase of \$900, and a decrease of \$500; in the Department of Agriculture, an increase of \$2,450; in the Department of Marine and Fisheries, an increase of \$10,660, and a decrease of \$6,500; in the Post Office Department, an increase of \$46,800, and a decrease of \$6,500. Those who were getting salaries on the 7th of November, 1873, amounting to \$1,256,000, were now—that is the same individuals or those who represented them—receiving \$160,000 more than they were at that time. That was what the return ought to have shown, and no more. This return, however, had been made in such a way as to mislead the House and the country. He understood that a breach or contempt of an order of this House was punishable. He had found a case in May similar to this one in which the House of Lords had reprimanded a person for having made a return to an Order of the House which was calculated to mislead the House. He could not understand that all the Deputy Heads could have been intentionally guilty of this impropriety. Was this done by the Secretary of State, or by the Deputy Head? He supposed they must take it for granted that the deputy heads of these twelve or thirteen departments could not by common agreement have altered the direction of this House. Then it must have been done in the office of the Secretary of State to suit the views of the Government. A recapitulation had been added which was not called for, and it was this recapitulation which was calculated to mislead the country. It was for the House to determine whether they were willing to allow their orders to be treated with contempt in this way, and he hoped some explanation would be offered from the Ministerial benches which would relieve the Government from the opinion which every impartial mind must entertain as to the way in which that return was prepared. The statement made by the First Minister in South Ontario, was literally true as far as it went; but a statement might be made which was strictly true, but which by not telling the whole truth might create a very false impression. It was now

shown that instead of these offices having been cancelled and salaries reduced, those that were cancelled were filled up, and the salaries, which were supposed to be reduced, had been increased from that day to this.

Mr. ROSS (West Middlesex) said that the hon. gentleman had made a great flourish of trumpets when he had moved for the return, doubtless expecting that it would be of great assistance to him and his friends in demolishing the professions of economy made by their opponents. Finding, however, that the return had the very opposite effect, there had been bitter disappointment ever since, and the disappointment had gone on increasing until it culminated in the motion of the hon. gentleman. The Public Accounts did not bear out the statements which the member for Cardwell had made with regard to the increase of expenditure under the present Government, notwithstanding that some slight increases had necessarily been made owing to the addition of new Provinces to the Dominion, and other circumstances. He would give from the Public Accounts a statement of the percentage of increases or decreases made in the salaries of some of the Departments during the last three years, under the present Administration. In the Governor-General's Secretary's office the increase under the late Government had been 11 per cent. in three years, while the increase under the present Government had been five-sixths per cent. In the Department of Justice the increase under the late Government had been 48 per cent., while under the present Government a reduction of 2 per cent. had been effected. In the Militia Department the percentages were respectively an increase of 29 per cent., and a reduction of 1 per cent.; in the Finance Department an increase of 28 per cent. against a reduction of 1 per cent.; in the Receiver-General's Department an increase of 28 per cent. against a decrease of 5 per cent.; in the Customs Department an increase of 31 per cent. against a decrease of 2 per cent.; in the Public Works Department an increase of 27 per cent. against a decrease of 2 per cent.; in the Department of

Agriculture an increase of 30 per cent. against a decrease of 10 per cent.; in the Post-Office Department an increase of 42 per cent. against an increase of 6 per cent.; or, in all the Departments, an increase of 35 per cent. in three years by hon. gentlemen opposite, against a reduction of one and one-half per cent. by their successors. He gave a statement of the increases made in the Departments during the last few days of the late Government, and gave also a statement showing as the general result, the fact that, while in 1867 the Departmental salaries were \$314,634, they had risen in 1873-4 to \$548,498, and in 1876-7 they had been reduced to \$536,736.

MR. TUPPER said he must say he thought that the hon. gentleman (Mr. Ross) had hardly been more respectful to the House than the parties who provided for the return which was now under consideration. The speech which the hon. gentleman delivered was one which only could be prompted by the conviction that no possible answer could be given to the strong and well founded statement made by the hon. member for Cardwell. The Government were charged with having been guilty of contempt of the House, and with having, in response to the Order of the House, brought down a return which was no answer to that order, and which, not only did not give the information required by this order, but a statement of facts entirely different, and at variance with the order as made. What was the answer of the hon. member for West Middlesex, who, in the absence of any Minister, proposed to rise and defend one of the grossest acts of disrespect towards this Parliament that was ever brought under the notice of the House? The hon. gentleman rose and talked upon another and different subject, and endeavoured to mislead and lead away the attention of the House from the consideration of the charges of the gravest character that ever were brought against any Administration. What did the hon. gentleman say? That the facts called for were furnished? Did the hon. gentleman say that this statement furnished all the facts?

MR. ROSS.

MR. ROSS: Certainly.

MR. TUPPER: In response to an Order of the House to state the reduction and increase in each office respectively? This was a return which professed to show the increase or reduction in each office respectively as between the 5th of March, 1877, and the 7th Nov. 1873, and he would ask the hon. gentleman whether this statement contained the facts in question. When he told the hon. gentleman that the Deputy Minister of Justice, whose name was signed here to the return which showed what the facts were, that Mr. Bernard, the late Minister of Justice, had a salary of \$3,200 a year, he believed on the 7th March, 1873; and this return, which the House ordered was to state the reduction or increase in that office respectively at that date, and this return, signed by the Deputy Minister, gave them the salary on the 7th of November, 1873, as \$3,200; and the reduction in the column of reductions made by this Government was set down as \$3,200, and this gave not a single dollar in the account of 1877, March 7th—did the hon. gentleman mean to say that this was a statement of the facts? Why, it would be impossible to have a more gross falsification of the facts, or to imagine a more gross falsification as far as this return, for which the hon. gentleman said the hon. member for Cardwell asked, and that the members of the Opposition, when they received it, were very much annoyed at its presentation. But the hon. gentleman (Mr. Ross) knew that the return, in response to the motion made by the hon. member for Cardwell, would have sustained all that the hon. members of the Opposition claimed in this regard, and that a large increase, instead of a reduction, in these offices and in these salaries had been made. The hon. gentleman knew this right well, and that the only means by which the facts could be concealed from the House, and the only means by which the country could be deceived and misled in this important matter was by changing this Order of the House in the most indecent manner, that an order of the House was ever changed; that any

Ministry should ever venture to change an order of the House.

Some HON. MEMBERS: No.

MR. TUPPER: No? He would say that if this order of the House was not changed, and if the Ministry which was responsible to the House, had ever the return made in the terms that the House had ordered, did not change it, there was not a Deputy Minister but ought to be deprived of the office he held. He said boldly, that if these Deputy Ministers had dared to change this order as it had been changed—

MR. MILLS: What change is there?

MR. TUPPER: Read the order and then the statement at the head of the return made by the Deputy Ministers. If the hon. gentleman did so, he would find what was changed, and that there was not a Deputy Minister in the public service that could have been induced to send down such a return as was made here, and signed by their names, if an Order of the House was placed in their hands and they were asked to fill it. He undertook to say that if a Committee of the House was struck, and if these Deputy Ministers were brought before it, one of these things would be found to be true: either they made returns and represented the facts as required by the order, and it did not suit hon. gentlemen opposite, who required them to take the returns back and concoct an order made to prevent the facts being brought down to the House; or else the Deputy Ministers never saw the Order of the House as made. If these gentlemen had been guilty in response to that order of making such a return as was here brought down, they had shown such unworthiness to fill their offices, or such an incompetency to understand a plain and distinct order, as to warrant the dismissal of every one of them from the positions they held; and they would rightfully deserve it. The gentlemen who were responsible for this contempt of an Order of the House, deserved that dismissal for having so treated this House, and for having brought down a return that not

only was calculated to delude the House, but also to deceive the country and public. He would not say that hon. gentlemen opposite had intended it, but they had accomplished the most gross deception of the country and public as far as any confidence in these returns was concerned, that ever was carried out in any country in the world. He would draw the attention of the hon. gentleman (Mr. Ross) again to this matter, and would ask him if this was a statement of the facts, where a return asked for the expenditure and reduction or increase in each office, where the late Deputy Minister of Justice received \$3,200 per annum, and this was charged \$3,200 against the last Government, and where this Government had superannuated that officer at \$2,000 a year, adding that addition to the public expenditure; and yet this return showed nothing of the \$2,000 a year, but a reduction, a pretended and false reduction of \$3,200 in the office of the Deputy Minister of Justice; and in the column showing the cost of that office on the 5th March, 1877, not a single dollar. And yet these were the totals which were carried out, and that was the way in which the thing was summarized, and in which it had been attempted to mislead, and in which the people of this country had been misled, as no Government, in response to an order of the House, had ever dared to do before.

MR. MILLS: You got just what you asked for.

MR. TUPPER: Was this what they asked for? The hon. member for West Middlesex said that they could not expect to bring in three or four Provinces without having increased the business, and increasing the number of officers; and yet the hon. gentleman took up a return, and again endeavoured to mislead this House by a statement of officers, leaving out of sight the fact that during the period he referred to, an increase had been made in the number of Provinces, and a large increase with regard to revenues and the number of officials. The hon. gentleman knew right well that no answer could be made to the conclusive statement made by the hon.

member for Cardwell in his indictment against the Administration in reference to this matter; and so he endeavoured to lead away the attention of the House by going into a statement of figures that only required to be examined in order to show that there was no foundation whatever in the figures which the hon. gentleman could produce from the Public Accounts, to sustain the position the hon. gentleman had taken. He would ask the hon. gentleman this: he had read, and said the country had read—and this had made a deep impression on the country—the statement of facts with relation to the Department over which he (Mr. Tupper) had had the honour to preside. He would draw attention, for a single moment, to this matter, and the hon. gentleman could not have well selected anything in the whole transaction, or the whole return, if he searched it from cover to cover, or placed his hand on a case that illustrated more completely and more thoroughly the contempt with which the order of the House had been treated, and the extent in which it was attempted to mislead the people of this country? What were the facts? Parliament had placed at the service of the late Government a large amount of public money for the purpose of readjusting the salaries of the officials of the country. Parliament increased the salaries of the Ministers, and the indemnity of the members, and on the same basis and foundation, it placed at the service of the Government a large portion of public money with directions that it should be used in readjusting the salaries for the service of the Government. In the discharge of this duty large increases were made with the money placed at the service of the late Government for the purpose, and it was done in obedience to that instruction. Take the Department of Customs. Had there been any increase of business since the 7th November, 1873. The hon. gentleman knew that there had not; and that in this Department there had been a large decrease in business. While trade was flourishing and the revenue increasing by millions per annum, there was a reason why they should increase the

expenditure of the Departments and the number of officials; but the hon. gentleman knew that since that period there had been a great falling off in the business and revenue of the country and in the Customs revenue; and there had been a great decrease in the business transacted. What did this return show? The return as to which the hon. gentleman said the sting was in the tail, and which he said would be read and leave a deep impression on the minds of the people, showed apparently a reduction, and was calculated to leave the impression that there had been a reduction to the extent of \$95,780. They could come to no other conclusion. The amount was put down for salaries payable on 1st January, 1875, on the appointments made between the 1st January and 7th November 1873; on increases during that period, on reduction by death, on resignation, and on the salaries of those appointed in November, 1873, whose salaries were increased between the 7th November and 5th March, and how did it all foot up? That there were paid salaries to the extent of \$443,630; increases to the extent of \$55,123; and in fact a cost in that Department of \$479,153, which showed less reduction by cancellation of appointments and increases, \$74,503; less reduction by death, resignation and superannuation, \$76,000, or a decrease of \$151,000 of the amount showing as the cost, \$443,630 paid by the late Government, and a reduction of about \$347,850. The decrease in the Customs Department, as would be accepted by every person with this return in their hands, was no less than \$95,980. He would ask the hon. member for West Middlesex whether this was not a statement of the facts. Was this calculated to cast conviction of the truth with relation to this matter to the minds of those who read this paper, when he told the hon. gentleman that in this Department, notwithstanding the enormous decrease in the business, and in the revenue collected, instead of there being a decrease of \$95,000, this Government had increased the expenditure, and had done so at the date of this return, to the extent of \$62,000? The hon. gentleman would find that this was the falsest

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statement of pretended facts that was ever attempted to be imposed on the people of any country. He would not take up the time of the House at this late period of the Session, after the exhaustive manner in which the hon. member for Cardwell had dealt with this subject in a manner that was most able, although the hon. member for West Middlesex ventured to use and open his observations with a sneer—a sneer at a gentleman who stood as immeasurably above the hon. member for West Middlesex as did any member of the House as a public man, and as a man of ability dealing with the public questions of the day, as it was possible to conceive; and yet the hon. gentleman rose with a sneer against a gentleman of the highest standing in this country in the noble profession to which he (Mr. McCarthy) belonged, and who held a first position as a barrister in this country, and as a man who had made a Dominion reputation for himself, as a man of the most remarkable talent, and who, in this House, had taken a position, and such a position as to commend him to the confidence and support of every hon. gentleman on that side of the House, and to render him an object of terror to the hon. gentlemen on the Government side of the House. The hon. member for West Middlesex had risen with a sneer directed at a man standing in that high and distinguished position in this House, and out of it; and yet the hon. gentleman took his seat without having ventured to deal with a single argument or to grapple with a single statement of the cogent, conclusive, incisive speech of the hon. member for Cardwell. It was unnecessary for him (Mr. Tupper) further to occupy the time of the House. He had shown by a single illustration—and this report teemed from cover to cover with illustrations—of the manner in which it had been attempted to treat the House and of the contempt with which this House had been treated, in the mode in which this Order of the House had been answered; and of the extent to which the audacity of hon. gentlemen opposite would go, even in a return brought down and placed on the table of the House. He would, however, do hon. gentlemen opposite

the credit of saying that if they had answered this return, and brought it down while Parliament was in Session, he did not believe that they would have dared to attempt such a liberty with the House, and with the country, as this; and hence it was reserved. Months were taken in the concoction of this return which was no answer to the order of the House, and it was not only printed, but, in blue book form, sent out and scattered over the country from end to end at the public expense, not to give the information the House asked for and which it was desirable it should obtain, but for the purpose not only of concealing the facts, but also of presenting a statement of pretended facts, a statement of the grossest fallacies and misrepresentations with which any Government had ever dared to insult a Parliament which had ordered them to make a return.

MR. MILLS said that such a speech as the hon. gentleman had just delivered could not have been made by any other member of the House. He defied the hon. gentleman to show a single paragraph of the order of the House which had not been fully, particularly, and accurately met by the return which had been brought down. The return brought down had probably not been what the mover understood he was asking for in the motion—but it was certainly what the House understood. The hon. gentleman merely asked for this. It was impossible to put any other construction on the motion than that which the Government had put on it. If the hon. gentleman wanted other information, he should have extended the resolution with which the return was strictly in accord.

SIR JOHN A. MACDONALD said a return in order to meet the order of the House must contain all that the House ordered and nothing more nor less, otherwise it was a false and irregular return. This return erred in both respects. What portion of this resolution asked for a return of superannuation? The resolution only asked for a return of those offices cancelled. Could the hon. gentleman grammatically or logically make out the superannuation of an officer was a

cancelled appointment? The return was also faulty, inasmuch as instead of giving the statement of increases in each office, it had omitted the increases made by the present Government, while it gave the increases of the late Government. It also gave the superannuation, and it did not give the officers and salaries of the officers who were appointed in their place. The return was most misleading, and appeared to have been made with a view to misleading the country.

MR. CARTWRIGHT said the whole secret of the present motion was that, owing to the ungrammatical, inartistic and absurd motion of the hon. member for Cardwell, a totally different set of facts had been presented from what had been intended to be brought down by that hon. gentleman. The motion had been worded just as might have been expected from an hon. gentleman who was so unacquainted with the Public Accounts that, in addressing an assemblage of his fellow-countrymen, he had added \$50,000,000 to the actual public debt of the Dominion, and \$9,000,000 to its taxation. The return had been framed in strict and liberal accordance with the order, and he defied any hon. gentleman to compare *seriatim* the one with the other, and to say that such was not the case. Surely hon. gentlemen opposite would not say that it was the fault of the Deputy Ministers that they had complied accurately with the terms of the motion, instead of going behind that motion and supplying what the hon. member for Cardwell imagined he was asking for? As to the insinuation that the Ministers had sent back the return to their deputies, speaking for himself, and he believed for the most of his colleagues, he had been absent from the city at the time, and he did not think any one of them had had an opportunity of inspecting the return before it was printed. He protested against the deputy heads of the departments being held responsible for the absurd manner in which the motion had been worded, and affirmed that the more the motion was examined the more clearly would it appear that it had been complied with in the return.

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MR. TUPPER asked how it was that the heading of the return, as signed by the deputy heads of Departments, was different to the language of the Order of the House. He also asked if the Government would give a Committee to ascertain whether the change he referred to was made by the Minister or the Deputy Minister.

MR. CARTWRIGHT said he would have no objection to a Committee, but he understood that all the Ministers had not seen the returns.

MR. MACKAY (Cape Breton) said he had been a little surprised at first to observe that the present deputy of the Minister of Justice received a larger salary than did the Deputy Minister in the late Government. But on consideration, the fact was not surprising, as it had been proven that the gentleman who acted in that capacity under the late Administration had supplemented his salary by receiving fees in a manner which was little short of disreputable. He believed that the present Deputy did not take such means of adding to his salary.

MR. BURPEE (St. John) said that the increase in the Customs Department had been frequently referred to by the hon. member for Cumberland. He would give the actual causes of these increases. The new appointments and the increases in salaries made in 1873 would cause an increase in 1875 over 1874 of \$7,700—being the full year's operation of the increases made. Then, with regard to the Prince Edward Island service, the hon. gentleman spoke of his appointing 25 officers, while the present Government had appointed 46. But he forgot to say that in addition to those 25 officers there were 50 others acting under the Local Government, these salaries being partly paid by this Government, and partly by commissions, the total amount being as large as that subsequently paid. The Prince Edward Island service became a tax on us in 1875-6 to the extent of \$7,300. Then there was paid for law-suits pending in Manitoba, and for which the late Government were responsible the sum of \$1,000. Inspector Kerr in Nova Scotia, had incurred in 1875 an expense over the previous year of

\$1,360 in consequence of the former inspector not having done duty for the whole year. This appointment had been made by the late Government. On account of salaries and travelling expenses of Inspector Cudlip, appointed for New Brunswick and Prince Edward Island in 1875, there had been paid \$2,500 for special inspection, \$110 for the stationery department at Ottawa, \$3,000 for organization of ports on Stickeen River. There had been paid in 1876 for two years \$3,600 for increased rent of the Custom House, Toronto; in 1875, \$1,000 for increased rent in Montreal; \$1,000 for appointment of lockers in Montreal, less by reduction in extra list. Necessary in the correspondence of the defalcations and losses from the bonded warehouses for previous years, in accordance with Collector Dunscombe's report, 1875-6, \$9,000. Then for increased extra tide-waiters and night watchmen in Montreal, on the reduction in the regular staff, under 1876 there had been incurred the sum of \$6,000. Formerly the day tide-waiters were employed on night duty, but the system was found to be very inefficient. In 1876 there had been a change in the cartage and warehouse system in Montreal and Toronto, being a concession to the importers of the charges heretofore made for the examination of warehouses, &c., that charge being in excess of the cost, \$10,000; charges for outports and ports made in 1873, full year's expenses, 1875-6, \$3,500; Acting Inspector Newburn for Ontario, \$1,700; and finally, a new charge for heating Government buildings at Halifax, \$1,600—making in all an amount of \$61,360.

MR. KIRKPATRICK said the percentages of the member for West Middlesex were no answer to the motion, for during the time he had worked his percentages the Dominion had extended from the Atlantic to the Pacific. The addition of Province after Province to the Dominion had necessarily increased the expenses, but the hon. member for West Middlesex could not prove that the increases which had taken place, were not at all commensurate with the natural growth of the Dominion. The cost of extra clerks had increased from 1872-3 to 1874-5 from

\$13,000 to \$38,000. In nearly every Custom House section there had, since 1873-4, been a great increase, although the revenue was less. There had, in addition, been an increase in the excise, the weights and measures, the post-office and other departments. The cost of the public services had risen from a total expenditure of \$1,736,442 in 1873-4 to \$5,194,896 in 1876-7, while they were collecting two millions of dollars less revenue. The late Government had an increase of revenue, and they had money to spend upon public works. But with regard to the hon. gentlemen opposite, the country saw that, with a falling revenue, they were keeping up the public expenditure to the same point. The late Government had spent their surplus, and had reduced taxation, while the Ministerial party had increased the expenditure and had increased the taxation. Any Parliamentary return asked for should be obeyed literally. They had a right to know why the return had been altered. If one Minister had dared to alter one word of the return, the country would hold him responsible. He concluded by moving as an amendment that the return should be referred to a Special Committee of seven members, with power to send for persons, papers and records.

MR. OLIVER said this was the first Committee asked for during the Session for the investigation of charges against the Government. This request could be made very easy now, when hon gentlemen opposite knew the Session was near its close, and that there was no time for such an investigation. The expenses connected with the collection of the revenue had only increased in proportion to the business and extension of the Dominion. The total controllable expenditure in 1870-71 was \$4,610,402; in 1873-74 it had increased to \$8,324,076, but in 1876-77, under the present Government, it was decreased to \$6,835,078. In the face of such facts no hon. member could fairly charge the Administration with extravagance. One plain, patent fact had been brought out by the return, viz.: that during the last months of the late Government 628 new officers were appointed and

increases of salary were given to 1,381, thereby increasing the burdens of the people by nearly half a million of money. When they compared the present state of things, seeing that in the Civil Government of the country there had been a decrease of \$71,000, with the condition of affairs in 1873, he thought that these two statements should convince the people of the country that the present Government should still continue, as they did now, to have the confidence of the people.

MR. MACKENZIE said he wished to know for what purpose the motion was made. Some alteration should be made in it.

SIR JOHN A. MACDONALD: There is an alteration.

MR. MACKENZIE: There is none whatever.

SIR JOHN A. MACDONALD: If the hon. gentleman chooses to vote it down, let him do so.

MR. MACKENZIE said he had no objection to grant a Committee if it was alleged that a false return was prepared or something morally wrong done.

MR. TUPPER said that this return, on its face, showed that it was improperly treated by the Government. They contended that the heading of the return, signed by the Deputy Ministers, was not a copy of the return ordered by the House; the heading of the order and of the return were not the same. He undertook to say that no Deputy Minister would have signed his name to this return, provided the Order of the House had been placed in his hands. He wanted the Deputy Ministers and Ministers, themselves, to appear before a Committee, and to make an investigation, to ascertain who had dared to take such an unprecedented liberty with the Order of the House.

MR. MACKENZIE said he denied that any liberty had been taken with the Order of the House. Unless it was asserted that some officers had made a false return, it was quite impossible to grant a Committee.

MR. OLIVER.

SIR JOHN A. MACDONALD: The hon. gentleman ought not to have allowed the Minister of Finance to promise a Committee.

MR. MACKENZIE: He made no promise.

SIR JOHN A. MACDONALD: He said he had no objection to one being granted.

MR. CARTWRIGHT: Of course, I presumed that the hon. gentleman had some charge to make.

MR. TUPPER said that Deputy Ministers did not manufacture the headings of these returns. He asked for a Committee to find out who had committed this palpable contempt on the House, and violated the Order of the House, to make a return by preparing a different return; and he believed that this would be established in a very short time, if they could obtain a Committee.

SIR JOHN A. MACDONALD said that the headings were altered for the purpose of preparing a return different from that which was asked for. He did not suspect one of the Deputy Ministers of having made the alteration; but somebody did this, and they wanted to know who this somebody was. The hon. gentleman, he knew, would not grant a Committee.

MR. MACKENZIE: We are not very likely to do so.

SIR JOHN A. MACDONALD: Hear, hear. I knew that you would not. You dare not do it.

MR. MACKENZIE: I have already stated that if the hon. gentlemen charges any person with fraud or wrongdoing in his motion, he shall have his Committee.

SIR JOHN A. MACDONALD said the charge was: that the return was not that which was asked for by the House; omissions that ought not to have been omitted, and additions which ought not to have been added, had been made; both were equally a contempt of the Order of the House. Somebody did this, and that somebody was not a Deputy Minister.

MR. DYMOND said it was a very old story. The loudest possible accusations were made by the hon. gentlemen opposite, but they dare not formulate them.

MR. KIRKPATRICK said he was amazed at the attitude assumed by hon. gentlemen opposite. He would satisfy the hon. Premier. He would move in amendment :—

“That the said resolution be amended, by adding to it the following words: and that such return be referred to a Special Committee of seven members to report on the same, with power to send for persons, papers and records.”

MR. MACKENZIE: So the hon. gentleman wishes us to vote deliberately that this is not the return which was ordered by the House.

MR. KIRKPATRICK: I said, “appears.”

MR. MACKENZIE: But it does not appear. He wants us to stultify ourselves. Does the hon. gentleman think we are all fools to vote for such a motion. The hon. gentleman is trying to contrive a motion that will not be accepted.

SIR JOHN A. MACDONALD: The hon. gentleman put it in this way. He says he will not grant a Committee unless we state the grounds, and when we do so, he says: “I do not agree with the grounds, and, therefore, I will not grant the Committee.” We cannot have the Committee any way. He says: “It is not so; I deny the grounds.” It is in order to prove the grounds given that we ask for a Committee.

MR. MILLS said that a Minister, if he discovered that a return was defective in any particular, had a right to correct it, and assume the responsibility of interpreting the Order of the House in consonance with what he believed was the intention of the House. This return was prepared in strict accordance with the requirements of the House.

MR. TUPPER said that the hon. gentleman admitted the charge.

MR. MILLS: I did not admit it.

MR. TUPPER said he now assumed that the responsibility was upon the Ministers, and not upon the Deputy Ministers. A column which ought to contain the expenditure with regard to the Deputy Minister of Justice was a blank column, although there was a sum being paid to him in the way of pension. The *Globe* newspaper, either deliberately, lied in reference to that return, or else the paper and the House had been misled. They could not get out of that dilemma.

MR. MACKENZIE said the hon. gentleman had stated that the Deputy Ministers had not signed the returns.

MR. TUPPER: I said nothing of the kind. Do not put words in my mouth, and do not attribute to me the very reverse of what I said.

MR. MACKENZIE said the Deputy Ministers had signed the returns. They were prepared and signed in the usual way; at least, so he was advised, by the Secretary of State. They would be brought down, and the hon. gentleman would see that they were correct.

SIR JOHN A. MACDONALD said he had been told across the floor by *l'enfant terrible* of the Government, the person who does the wrong thing at the wrong time, the member for North York, that he was afraid to send the matter to a Committee and make the allegations. He would move in amendment to the motion :—

“That inasmuch as is alleged that the report submitted to the Department to be answered, is different from the return asked for by this House, and, inasmuch as it is further alleged that such return as made omits matters asked for, and adds matters not asked for, and inasmuch as it is alleged that such omissions and addresses are calculated to mislead this House, and are a contempt of this House, be it resolved that the return be referred to a Committee to enquire into and to report upon.

MR. MACKENZIE: Who makes the allegations?

SIR JOHN A. MACDONALD: I do, and my hon. friend.

MR. MACKENZIE: Is it alleged by any one?

MR. McCARTHY: I allege it.

MR. BOWELL: Oh, vote it down.

MR. MACKENZIE: Undoubtedly we shall vote it down if the name is not inserted.

MR. McCARTHY said he would allow his name to be inserted.

MR. MACKENZIE said the allegation that an incorrect return was calculated to mislead the House was only a matter of opinion, and a Committee could not enquire into a mere matter of opinion.

SIR JOHN A. MACDONALD said it was absolutely necessary that the words should be there. If the returns were not calculated to mislead the House, there was no necessity to refer them to a Select Committee.

MR. HOLTON thought it would be as well to wait till the papers came down, and then appoint a Committee if desirable.

MR. MITCHELL: We have already the papers.

MR. MACKENZIE said the motion was so objectionable in its terms that he could not adopt it. The returns would be brought down as soon as possible, and when they came down the hon. gentleman opposite could move for a Committee as soon as he liked.

MR. McCARTHY said he wished to say one word with reference to the allegation of the Finance Minister that he had mis-stated figures in regard to the finances of this country. He utterly denied that he had done anything of the kind, and challenged any one to show that such had been the case. If there was any garbling or misquoting, the garbling was on the part of the Finance Minister, who had misquoted and misinterpreted his (Mr. McCarthy's) Colborne speech. It was because the Premier at South Ontario had stated that, on coming into office, he had cancelled appointments made by the late Government to the extent of \$52,000, that he (Mr. McCarthy) moved for the return in question, in order to test the trustworthiness of the statement. He had the return incorrect and misleading, and the Minister of Finance only had had the decency to regret that the return had been

MR. McCARTHY.

brought down in the state in which it was brought down. As an effect of bringing down such a return, he pointed out that the *Globe*, when the return was circulated, stated that it showed a reduction of \$172,198 in official salaries since the present Government was in power, whereas the fact was that, instead of there having been a decrease, there had been an increase of \$100,000. It was transparent on the face of the return that it had been changed in order to make it appear that there had been reductions where the facts were otherwise. Having referred to the percentages of the hon. member for West Middlesex, he promised to give a few facts which that gentleman could digest at his leisure. In 1873-4 the salaries of the Governor-General's office were \$8,240; in 1874-5 they were \$10,079. In the Department of Justice in 1873-4 the salaries were \$17,367; in 1874-5 they were \$19,181. In the Finance Department the salaries, which were \$50,232 in 1873-4, were \$54,139 in 1874-5. These figures, as taken from the Public Accounts, were better than percentages.

MR. CARTWRIGHT said that the hon. member for Cardwell would, on page 158 of the Pic-nic Pamphlet, find a full and detailed statement showing the absurdity of his assertions, that our taxation had increased from \$3.50 per head in 1870 to \$5.76 per head in 1876. In 1869-70, the estimated population was 3,400,000 and gross revenue \$15,172,225, average per head \$4.50.

MR. McCARTHY: If you deduct the amount of the surplus, and then divide, you will find that the other figures are correct.

MR. CARTWRIGHT: Upon my word! Did any mortal ever hear such a mode of making a statement as to the amount of taxation levied. However, it is entirely on a par with all the statements made.

Question put and the amendment to the amendment (Sir John A. Macdonald) *negatived* on the following division:

YEAS.

Messieurs

Bowell,  
Brooks,  
Cameron,  
Campbell,  
Caron,  
Colby,  
Costigan,  
Coupal,  
Currier,  
Daoust,  
Dewdney,  
Dugas,  
Farrow,  
Ferguson,  
Gibbs (North Ontario),  
Gibbs (South Ontario),  
Haggart,  
Jones (Leeds),  
Kirkpatrick,  
Langevin,  
Little,  
Macdonald (Kingston),  
McDonald (Cape Bre-  
ton),  
McDougall (Three  
Rivers),  
Macmillan,  
McCallum,  
McCarthy,  
McQuade,  
Méthot,  
Mitchell,  
Monteith,  
Orton,  
Platt,  
Plumb,  
Pope (Compton),  
Robinson,  
Rochester,  
Rouleau,  
Ryan,  
Stephenson,  
Thompson (Carboo),  
Tupper,  
Wade,  
Wallace (Norfolk),  
White (Hastings),  
White (Renfrew),  
Wright (Pontiac).—47.

NAYS.

Messieurs

Appleby,  
Bain,  
Béchar, d,  
Bernier,  
Bertram,  
Biggar,  
Blackburn,  
Borden,  
Borron,  
Bowman,  
Brown,  
Buell,  
Burk,  
Burpee (St. John),  
Burpee (Sunbury),  
Carmichael,  
Cartwright,  
Casey,  
Casgrain,  
Cheval,  
Christie,  
Church,  
Coffin,  
Cook,  
Dymond,  
Fiset,  
Fleming,  
Flynn,  
Forbes,  
Galbraith,  
Gibson,  
Gillies,  
Gillmor,  
Goudge,  
Greenway,  
Guthrie,  
Haddow,  
Hagar,  
Higinbotham,  
Holton,  
Horton,  
Huntington,  
Irving,  
Jones (Halifax),  
Kerr,  
Killam,  
Langlois,  
Laurier,  
Macdonald (Cornwall),  
Macdougall (Elgin),  
McDougall (Renfrew),  
MacKay (Cape Breton),  
Mackenzie,  
McCraney,  
McGregor,  
McIntyre,  
McNab,  
Metcalfe,  
Mills,  
Norris,  
Oliver,  
Paterson,  
Perry,  
Pickard,  
Ray,  
Richard,  
Ross (East Durham),  
Ross (Middlesex),  
Ross (Prince Edward),  
Rymal,  
Scatcherd,  
Scriver,  
Smith (Westmoreland),  
Snider,  
St. Jean,  
Taschereau,  
Thompson (Haldi-  
mand),  
Trow,  
Wallace (Albert),  
Wood,  
Young.—81.

Question put and amendment (Mr. Kirkpatrick), *negatived on the same division.*

Motion agreed to.

INTERCOLONIAL RAILWAY ACT  
AMENDMENT BILL.

QUESTION.

MR. TUPPER said he wished to know whether there was any possibility of getting through the Bill entitled an Act to amend an Act intituled an Act respecting the Intercolonial Railway, passed in the 39th year of the Reign of Her Majesty Queen Victoria.

MR. MACKENZIE: It is really impossible. We could not permit it.

MR. TUPPER said that when the Intercolonial Railway Bill was passed, it was promised that rights then existing under the law would not be interfered with.

MR. MACKENZIE: I recollect that.

MR. TUPPER said that private rights had been interfered with, and he hoped that the hon. gentleman would permit any claims which the Halifax City Railway Company made against the Government, to be referred to the public arbitrators under the Public Works Act.

MR. MACKENZIE, said that the Government had a perfect right to extend the railroad into the city of Halifax; and they could never admit the pretensions of the City Railway Company. He had simply to guard the public interests in this matter. He knew nothing whatever about the persons this concerned. It was impossible that they could consent to the passage of the hon. gentleman's Bill.

MR. TUPPER said that this matter was one of some importance. The hon. gentleman was quite right in protecting the public interests; but he was not bound, in doing so, to invade the private rights of the Halifax City Railway Company, which had expended money on the faith of an Act of Parliament, and which claimed that an Act of this Parliament passed last Session had deprived them of the rights they held under the former Act.

House adjourned at  
Fifteen minutes before  
One o'clock.

## HOUSE OF COMMONS.

Thursday, 2nd May, 1878.

The Speaker took the Chair at Three o'clock.

## PRAYERS.

## THE VENTILATION OF THE CHAMBER.

MR. PLUMB said he desired to call the attention of the House to a most important matter—the ventilation of the Chamber—which was very bad, to which cause he ascribed a great deal of sickness. The health of many members became affected during the Session owing to the defective system in vogue. The air was pumped through ducts 700, 800, 1,200, and some 1,500 feet long; and it necessarily, in its passage, became deleterious, and very unhealthy. A commission was appointed in 1873 to examine into this question, but their report was never acted upon. He could not conceive any system more ingenious than the present to cause the members to breathe foul air. The health of the person who was employed to inspect these ducts was destroyed by the service, and the man was now pensioned. He knew, from the evidence of the Committee, that there was stagnant water in these ducts.

MR. CHARLTON said he hoped that this matter would receive the attention of the Government. The ventilation of the Chamber was certainly very defective. The changes made in it several years ago had proved ineffectual. Certainly, it was the height of absurdity to pump air into the Chamber through long subterraneous ducts. He did not think that public money could be spent more appropriately than in securing proper ventilation. He had always noticed that during the Session members became palid and out of health; and a great many diseases were originated in consequence of this defective ventilation.

MR. TUPPER said it would be hardly possible to have their attention drawn to a more important subject. Several efforts had been made to remedy this system of ventilation, but they had radically failed. The system

MR. TUPPER.

of pumping air through subterraneous passages into the building was radically wrong. He had himself suffered very much from it, especially late at night; the air was then quite insupportable. The system, also, of throwing cold air into the Chamber often produced severe colds. No expense or effort should be spared to remedy these defects.

MR. MACKENZIE said this was an important matter, and nothing gave them so much difficulty as the question, what could be done? Owing to the style of the architecture, they were in a sort of den. If it were the classic style, they could have the windows opened; and if it was of any other style but that of the middle ages, they would have better light and better air. As it was, they must make the best of the circumstances. For the clerks, they had ceased to take the air in this direction. He would endeavour to find out what reform, if any, could be adopted. The air hat, however, been better this year than in the past. The only other system was to have shafts of air immediately above the passages coming into the building.

MR. BLAKE said that with regard to the English House of Commons and public buildings, an eminent architect being asked what remedy should be adopted, said he could give no other advice than to open the windows. Although barbarous and Gothic, he did not believe stained glass was as valuable as their lives: and if the windows were opened and a draft created, he thought that this would mend the matter.

MR. YOUNG said that while the air was very bad in the Chamber, on most occasions it was much worse in the lobbies. He had several times directed the persons in charge to see that the doors and windows of the lobbies were kept open as far as possible; and if this were done, it would probably remedy the evil to a very considerable extent.

## SUPPLY—CONCURRENCE.

On Resolution 8,

MR. KIRKPATRICK said he wished to call the attention of the Government and House to a matter connected with



the Department of the Minister of the Interior, regarding the claim of the widow of an old Civil servant whose death last January they all deplored, Colonel Coffin, who was for many years in the Department. The deceased was Commissioner of Ordnance Lands; he was appointed to this position in 1856, but previously had been for some years in the service of the Government; in 1856 he was asked to give up the office he held in Montreal and assume the management of the Ordnance Lands, which were then transferred to the Province of Canada. He took the office at a salary of \$2,000, and expected to remain in Montreal; but very shortly afterwards, in order to better discharge his duties, he was removed to Ottawa; as the bulk of these lands lay between Ottawa and Kingston; but there were also lands under his control over the Provinces of Quebec and Ontario. He occupied a building on the ordnance lands, rent free, for some years, which fact, to a certain extent, compensated him for his removal here. In 1866, when the Government came to Ottawa, attention was called to his receiving a house free of rent, which advantage did not attach to other Civil servants, and he was compelled to buy the house in question, thus so much diminished his salary, which, nevertheless, remained at the figure of \$2,000. In 1870, another very important branch, the estate of the Bank of Upper Canada, was placed under his charge, and he managed it for two or three years without receiving any extra emolument though he had the promise of it. He had not received any increase since he entered the service; he discharged his duties most satisfactorily to all his chiefs; but, unfortunately owing to procrastination, the promised increase of salary was overlooked until the time, with many others, he received tardy justice. This came, unfortunately, at the last moment of the existence of the late Government. From him, on the accession of the present Government, had been taken the increase of salary to which he had been entitled. He spoke of the saving which Mr. Coffin had made in his Department, and concluded by expressing the hope that Parliament would make up to his

family the \$2,000 of which he had been deprived.

MR. HOLTON described Col. Coffin as being what he considered the *beau ideal* of a Civil servant. He said the claim was a just one, and expressed the hope that the Government would comply with what he considered only a just and reasonable demand.

MR. LANGEVIN expressed his high sense of appreciation of the service of Col. Coffin, who had been an officer of this Department, and concluded by supporting the proposal of the member for Frontenac.

SIR JOHN A. MACDONALD said he could bear out all that had been said of Col. Coffin. He and the deceased had been boys together, and it was because of his great abilities that he had received his appointment. He had discharged his duties in an eminently satisfactory degree, and he trusted that provision for his family would be made in the Supplementary Estimates.

MR. MACKENZIE did not differ from the high estimate of Col. Coffin's character and ability; but he would only say at present that the Government would consider the matter before the close of the Session favourably in some way to the family of the late Colonel.

SIR JOHN A. MACDONALD thanked the Premier for his kindness.

MR. TUPPER urged the Government regarding the claim of Col. Dennis on the Government, to carry out the arrangement entered into with him when he entered into the Civil Service as Surveyor-General.

MR. MACKENZIE asked if the hon. gentleman spoke at the request of Col. Dennis.

MR. TUPPER: No.

MR. MACKENZIE; Because it would be very inconvenient for members of the Opposition to bring up the affairs of each officer of the Government in the House.

MR. TUPPER said he made the remarks as a matter of justice to the Colonel, who had been overlooked.

The officer was promised the same salary as a Deputy Minister, and the promise had not been carried out.

SIR JOHN A. MACDONALD bore testimony to the correctness of the remarks of the hon. member for Cumberland.

MR. MACKENZIE deprecated the practice of mentioning the cases of individual Civil servants on the floor of the House.

SIR JOHN A. MACDONALD agreed as to the inconvenience of bringing such matters up in the House, but he thought the circumstance was exceptional in the present case.

MR. BLAKE said he understood that the circumstance of this case had been mentioned to the Government in the usual and regular way, and if that were the case, the Government should have been left to deal with it at their own time and in their own way.

MR. MILLS stated that the increase made to this officer was made without prejudice to any right he had under the late Government.

Resolution agreed to.

On Resolution 18,

Departmental Contingencies.....\$159,000

In answer to Mr. TUPPER,

MR. MACKENZIE said he had urged the Printing Committee to have the report of the Halifax Commission printed as soon as possible.

Resolution agreed to.

On Resolution 53,

Miscellaneous Printing.....\$2,000

MR. KIRKPATRICK complained that no particulars were given. The House ought to know every year how many extra clerks were employed; and there should be an audit of this account.

MR. CARTWRIGHT said he did not desire to swell the Public Accounts unduly, but he thought a detailed audit of this account might be printed and laid on the table of the House early in the Session.

MR. TUPPER.

MR. BOWELL said it was quite time that some better system should be adopted. The system of employing a certain number of officers during Session was vicious in principle. He saw no way of meeting the difficulty except by adhering strictly to the rule of the House. If that were done they could hold the Clerk strictly to account for unnecessary extra appointments. Attention had been called to one of many of these clerks who had employed his time in eulogising some members of the House and abusing others. It had been stated that he was not in the employment of the House, though he was on the pay list. The result was that he had charged a member of the House in the public Press, with having uttered falsehoods. He (Mr. Bowell) remembered that when a clerk of this House wrote something disparaging in reference to a member of this House, the then leader of the Opposition, now Chief Justice Dorion, brought him to the bar of the House and had him dismissed. He did not know who was responsible for this. By the 110th Rule it was provided that the Clerk should employ at the outset of the Session such extra clerks as might be necessary for the requirements of the public service; 41 sessional clerks had been placed on the staff, a large number of whom had comparatively nothing to do, and he believed that before this return was made to the House, 7 or 8 were dismissed. The whole system was lax, and means were thus provided to pay political supporters who had done certain services in the interests of the party. This would be a fair subject for the new Parliament to take up and make provision to prevent this abuse in the future. He found that two of these clerks had received pay, one for 14 days before he was appointed, and another for 11 days previous; and he wished to know why this was done.

MR. CARTWRIGHT said with respect to the general question raised that the Printing Committee had been held were the proper persons to disburse \$70,000 appropriated for miscellaneous services; and the Auditor was to see that the expenditures were duly certified by the Chairman of the

Committee and their officers. There were only two items in which he thought any possible abuse could occur, expenditures made for purposes not known before and authorized by the House, and the item with reference to extra sessional clerks and committees. As to how many clerks should be employed, this was not exactly a question for the Auditor, who was, however, to see that proper receipts were produced. The general object would be obtained if the gentlemen of the Internal Commission were to meet with instructions that these expenditures in reasonable detail be placed on the table of the House. He could not explain why clerks were paid for time prior to their date of engagement.

MR. MACKENZIE said that the Committee had nothing to do with the employment of these persons, except to fill up any vacancies that might occur. This was entirely under the control of Mr. Speaker and the Clerk of the House. He understood that the Auditor went over all the items of payment.

MR. CARTWRIGHT said that a sessional clerk had, over his own signature, reflected in a letter on a member of the House, and he was informed that the moment that this fact was brought under the notice of Mr. Speaker, he at once dismissed the offending official.

MR. McDUGALL (South Renfrew) said he thought that this was an extremely proper course.

SIR JOHN A. MACDONALD said that no doubt, if the hon. gentleman in question had asked it, this clerk would have been brought before the bar of the House by a unanimous vote. Whether a member belonged to the minority or majority he was equally a member of Parliament, and no doubt the majority would have justice in the matter. He was glad that this had not been done, but, nevertheless the punishment was very small for a very great offence.

MR. CARTWRIGHT: The dismissal was instantaneous.

On Resolution 56,

SIR JOHN A. MACDONALD said that the collection of criminal statistics was a very important matter. This was one of the means of knowing what was the actual moral state of the country; and the best means of detecting new crimes and of learning what were the favourite crimes. The Dominion Government alone could obtain this information from all parts of the country. He had been under the impression that a large amount of criminal statistics had been collected.

MR. CARTWRIGHT said that very little of the vote had been spent last year. One of the returns gave the statistics, with regard to insolvency, and this return was published in the report of the Minister of Agriculture. Unless returns were obtained of the petty offences, he presumed that the report would not be very voluminous; and that it could be placed in the report mentioned.

SIR JOHN A. MACDONALD: The most important are the petty offences,—crimes committed in consequence of poverty and vagrancy. These are curable. It would be infinitely more valuable if the insolvency and criminal statistics were bound together in a separate volume.

Resolution concurred in.

On Resolution 60,

Immigration and Quarantine.....\$120,370

MR. POPE said he wished to know what the Paris immigration agent was doing now.

MR. CARTWRIGHT: Assisting the commissioners at the exhibition, I believe. The hon. the Minister of Agriculture informs me that he is advised that many more immigrants will come out this year than has been the case heretofore, and he cannot, therefore, diminish the vote; but, if the immigration does not increase, we will probably dispense with three or four agents, which will reduce both items considerably. There are some agents like Mr. Dyke, whom we must keep.

MR. POPE said that he was informed that certain agents drew \$4 a day for travelling expenses, all the time, and when they were not travelling.

Mr. CARTWRIGHT said that the number seemed to show that this could not be the case with all of them.

Mr. BUNSTER said he would like to know whether any emigrants were sent out to British Columbia under this system.

Mr. CARTWRIGHT said that the great expense which the trip would require militated against that Province in this respect. He was afraid that only those who were induced to come over, owing to the information distributed concerning this Province, went to that section of the country.

Mr. LANGEVIN said that the item of \$20,000 for health purposes might very properly be struck out. We were not on the eve of an epidemic. When the revenue was contracted, this vote might be applied to some more useful purpose. The expense in connection with the immigration agencies could also be largely reduced. The expenses of the Department were equally as great as when large numbers of people were brought across. He objected to the numbers of agents who were in Great Britain and on the continent, doing nothing but, as had been stated, writing articles for the newspapers. The expenditure of the Department, as it was operated at present, could not be defended. He invited the Ministry to a serious consideration whether there could not be some reduction which would be a real saving to the country.

Mr. CARTWRIGHT admitted that if the results of the coming year's operations were not more satisfactory than latterly, the Government would be justified in reducing the estimates for salaries of travelling agents and travelling expenses. The Minister was unwilling to do this until after the present season had been tested.

Mr. POPE said that the immigration was only one-third of what it had been previously.

Mr. PLUMB admitted the necessity of affording information as to the country, but believe it could be more judiciously and economically effected.

Mr. CURRIER was glad that there was a possibility that the services of

Mr. POPE.

travelling agents would be done away with. He advised that something be done to send away to our western country those now residing amongst us who had no means of procuring a livelihood.

Mr. MACKENZIE said that would be impracticable. Moreover, he thought that more people were already going to Manitoba than would find it to their advantage to stay there.

Mr. TROW objected to any reductions maintaining the necessity of making Canada and its territories known to the people of Europe.

Mr. POPE said he would give the Government all the assistance in his power to conduct the work of the Department, but he wished it to be done with efficiency and economy.

Resolution agreed to.

On Resolution 66,

Mr. MITCHELL moved in amendment:—

“That in view of the present financial condition of the country, it is desirable to reduce the expenses of the Militia Staff, by striking out the amounts of \$14,400 and \$6,000 provided in the said resolution for 12 District Adjutants General, with their allowances, as well as the sum of \$6,600 provided for 12 District Paymasters;” which was negatived on a division.

Mr. JONES (Halifax) said there must be such officers as these, but it was possible that the districts might be reduced and in that way some economy might be obtained; but at the present moment, when they hardly knew what position the country might be called upon to assume, it would not be wise to deprive the country of the means of having a sufficient number of officers in case the militia should be required.

Mr. MACKAY (Cape Breton) urged the Government not to reduce the pay of officers of the militia, and insisted that they should take care the militia were paid when called out to aid the civil powers.

Mr. ROSS (Prince Edward) trusted that next year there might be a reduction in the direction proposed.

Mr. BECHARD said he believed that in the rural districts there was no practical result for this expenditure of money, many of the volunteers being mere boys. He, therefore, trusted that next year the Government would seriously consider the subject of a reduction. He believed it would be preferable to spend the money in training volunteers concentrated in large centres.

Mr. JONES (Halifax) said the subject had already engaged the attention of Parliament, but there was some difficulty in dealing with the question, because, naturally the people in the rural districts felt that they had as much right to contribute their quota as the people in the more populous centres. He admitted there was great force in the remarks of the hon. gentlemen, and, no doubt, the result would be in accordance with what his hon. friend had suggested, which he confessed was also his own view. It was, however, a matter which must be dealt with gradually.

Mr. HUNTINGTON, as representing a rural constituency, said that in his own county and district were some of the finest bodies of militia in the Dominion.

Mr. SCRIVER said he believed there could be a reduction in district staffs, but he held that upon the frontier there were some most efficient corps.

Mr. BROWN advocated a reduction of the brigade staff and said there were new rumours of Fenians drilling on the other side and of war in the East, but as the hon. the Minister of Militia was vigorous and efficient, and had put the office in better order than he had seen it in for a great many years, if ever before, he was willing to leave the matter in the hands of the hon. gentleman. He knew that when the hon. gentleman examined into the matter and saw the waste of money in that direction, he would concentrate the business at the general headquarters and reduce the number in outlying districts. It was necessary to have two officers, a paymaster and a storekeeper in every district.

Mr. BOWELL said he was rather surprised that the hon. member for

West Hastings had adopted the opinions expressed by the present Minister of Militia. That this hon. gentleman was not an efficient departmental officer he did not pretend to say, as it had not been his good fortune to come in contact with the hon. gentleman in that respect; but when the hon. gentleman expressed an opinion in accord with that of the hon. member for Iberville, that it would be well to disband the volunteer companies raised in the rural districts, and confine the battalions to the city volunteer force, it struck him (Mr. Bowell) that this was not a step in the right direction, and as to the hon. member for West Hastings, whose battalion he did not hesitate to say, was one, as good as any, if not one of the best in the country, if the suggestion of the hon. the Minister of Militia was carried into practice, this fine battalion would dwindle into one company, for only one company was in a town; the others were formed in rural sections; and this was as fine a body of men as was to be found in Canada. He (Mr. Bowell) totally dissented from the opinions expressed by the hon. member for Iberville, and also the hon. the Minister of Militia on this point; and for once he was happy to say that he was in accord with the opinions of the hon. the Postmaster-General. He had come to this conclusion, and it was an opinion which he had expressed, not only on the floor of this House, but also in other localities, that the best men brought into the field, and best battalions that were placed in camp and brigade, and the men who obtained the greatest proficiency in the shortest length of time, belonged to the rural companies. This had been his experience during 10 or 15 years connection with the volunteer force; but whether this was the case at Halifax, or whether it had come under the eye of the Minister of Militia, he did not know. In Ontario, however, he was sure in saying that such was the fact; and he was very glad to hear the remarks made by the hon. member for Huntingdon, when he called attention to the efficient volunteer force along the frontier in the counties from which the hon. gentleman came; and it was just so in other sections of the country.

He was not prepared to support, although most hon. gentlemen knew what his opinion on the staff question had been for the last 10 years, the motion as proposed by the hon. member for Northumberland. There must be the Deputy Adjutants-General and the Brigade Majors retained or the Brigade Majors must be dispensed with and the Deputy Adjutants General retained. It was better to retain the latter and to do away with the former, in accordance with the recommendation made by the Adjutant-General in his reports in 1866, 1875 and 1877. He had no doubt that the hon. the Minister of Militia had given this matter his attention; and if he turned the report made by the Major-General in 1875 he would find that he spoke of this very staff in this way. Very few, however, of the recommendations of this officer had been carried out by the Ministers of Militia in the past, and from the expression of opinion made by the hon. the Minister of Militia during the discussion on the estimates on this question, in which the hon. gentleman expressed opinions in accord in great measure, and in fact on every point, with those advanced on that side of the House in connection with this question, if the hon. gentleman remained in office another year and met the new Parliament next year, and would come down with some scheme by which the views which the hon. gentleman had expressed, and which he believed were shared in by the vast majority of the volunteer force in this country—would be put into operation, the hon. gentleman would be supported in the House. The Major-General, in 1875, said that some districts were overstocked with members of the staff, many of whom held positions which had been almost sinecures for three or four years. This was rather strong language, coming from the Major-General, whose special duty was to look after this department. This officer suggested that the brigade staff should be abolished; and, after calling attention to the fact, said that a considerable reduction would leave ample and to spare for general purposes, giving those left a more active life, and impressing them with more responsibility, and leaving room for the

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temporary training of intelligent young officers, soldiers at least, to act on the brigade staff and in camp exercise. Some members of the brigade staff had slight qualifications and some were unsuited for the position. The year following, as they knew, a slight reduction was made in the staff, but only two or three brigade majors were struck off, leaving, as this officer said in his last report, eleven brigade majors; and the small reduction of two or three which had been made had resulted in good instead of the reverse. When the next item, concerning brigade majors, was brought up, if the hon. member for Northumberland would move that it be struck out, he would be most happy to vote in favour of the proposition, because he believed and he now repeated what he had often said, that the less the number of the staff in the different districts, the greater the efficiency of the force would be. The force would be in a better state of organization when there were a less number of these officers in the different localities. The paymasters might as well be dispensed with during the time of peace, as they did nothing except draw their money and the travelling expenses connected with the office. Their duties could be performed from head-quarters as well as by having a salaried officer receiving \$600 a year and expenses; and they could do without this officer in each district. He was quite sure that if the hon. the Minister of Militia would give his attention to this matter, he would find that when this item came down, he need not make provision for those who held these offices, and he could make a very large reduction in this particular item itself. He had, however, no objection to this amount of money being spent. If the \$20,000 were struck off for this purpose and given to the men, he would not object, in order to make the different battalions more efficient and general satisfaction; and the result would then be what it ought to be with regard to the expenditure of this money.

MR. JONES (Halifax) said he was afraid the hon. gentleman (Mr. Bowell) had not understood what he

had said in reply to the hon. member for Iberville. He was drawing the attention of the House to the fact that a good many rural companies were not in a thorough state of organization. If the hon. gentleman referred to the report of the Lieutenant-General, he would observe that he had drawn the attention of the Government on several occasions to that point, and he (Mr. Jones) did not hesitate to say that whenever the Lieutenant-General had recommended any company in the rural districts or cities to be disbanded, he had always given his assent to it. The hon. gentleman would remember, perhaps if he referred to the report of last year, that this officer had recommended the disbandment of several batteries of artillery, and this was at once done; and he (Mr. Jones) had always endeavored, since he was in office to carry out, as far as possible the recommendations of this officer, who, however, sometimes merely made recommendations regarding the expenditure of money, which it was not always possible to carry out. The hon. gentleman would remember the recommendation made with regard to promotion, to the Prescott Branch for five years service in one rank. He had agreed with the Lieutenant-General, and this alteration was made. Several alterations had also been effected in accordance with the Lieutenant-General's report, and several companies in the cities, and rural districts had been disbanded in consequence of their inefficient state. He would at once say, that there was not the slightest intention of disbanding any company in the rural districts as long as they maintained their organization; and the hon. gentleman would see that it would be contrary to the discipline of the Force to maintain any company, either in the cities or rural districts, merely for local considerations; if they were not in an efficient state of organization. He quite agreed with what the hon. gentleman said with regard to the material which the rural districts supplied. This was very superior to the material furnished by cities, the former were a much better class of men, and he said so without any disrespect for the cities, and in this respect

the rural companies were very desirable. He had merely given the opinion with reference to companies that the Lieutenant-General had expressed, and as the companies were disbanded they were distributed over the Dominion where most needed. As the hon. gentleman was aware, by law there could only be so many in the Force, and of those disbanded here, one was allowed to Manitoba, one to British Columbia, and two to Quebec; and, as the Minister of Agriculture of the Ontario Government was very anxious that the schools of agriculture should have military training, and had offered that if the Government would supply the ammunition and arms they would pay for the instruction, this Government thought it desirable that such a body of fine young men as attended this school should receive military training, because they would be dispersed over the Province, and throughout the Dominion, carrying with them the information. This request was therefore complied with.

SIR JOHN A. MACDONALD said he was glad that the hon. the Minister of Militia had made this explanation, because it would sound very strangely if he was understood to express an opinion against the continued keeping up of the military force by the sons of the soil who had to defend the soil. He need not add a word to what had just now been so gracefully uttered by the hon. the Minister of Militia, and by the hon. member for North Hastings, as to the superiority of the rural population, in physique, over the towns people, while they were the equal of the latter in intelligence; and it would be, to the last degree, improper and inexpedient to diminish the military spirit which prevailed in this country. On the contrary, it should be encouraged, as we had no regular force. We must look to the volunteer force, and to the order and military spirit of our young men, who were very glad to serve. He hoped that his hon. friend from Northumberland would not press his motion for the reasons given. He was inclined to believe, and indeed he did believe, that the staff was too large. The hon. the Minister of Militia might not re-

member, as it was long before his time, that this system was adopted. This was done when the militia was organized at a time of supposed danger, and on the recommendation of an officer of great experience who was out especially from England, to organize our militia, and prepare it in case of war. He referred to the present Lieut.-General Macdougall at Halifax. This officer thought it was of the first importance to divide the country into military districts, and to have a staff. Of course the members of the Government of the day being laymen, were obliged, and very properly, to yield largely to his recommendations. Experience, had shown, however, he thought, that one did not want all these district Deputy Adjutant Generals and Brigade Majors; and certainly the duties of the pay-masters could be well performed by some Civil servants, or by Customs or Excise officers, or some officer which the Government had in every military district. The officers of the different corps might save the pay-masters' salaries altogether. He did not know that it was desirable to press the point regarding the brigade majors. They had a strong opinion by the Lieutenant General and also by the hon. the Minister of Militia, to the effect that a considerable expenditure could be saved in this direction; the only question that now arose was whether it would be well to reduce the staff under present exigencies, and the possible complications that might take place. He did not suppose that the efficiency of the service would be affected by the discharge of the brigade majors; but he did not think it would look well in the English press to be cutting down expenditure in this regard at the present time. He considered that the English staff system should be introduced here. And he thought that the hon. the Minister of Militia would express concurrence with that idea. We had a number of staff officers appointed for life, and who had not made themselves acquainted with the new drill, training and discipline, and the last system of tactics. They were old fogies, to use a common expression, without any disrespect; and these gentlemen could not be considered men who would keep up our volunteers to the present standard,

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which late events in Europe, had shown was absolutely necessary to now have an efficient force. Staff appointments only continued for five years, no matter what an officer's abilities might be; and at the end of this period he had to rejoin his regiment or be transferred to another branch of the military service, and new men were brought in fresh from the field and from study, so that the whole staff was kept up in a state of efficiency. There was this difficulty here, however, which did not exist in England; such an officer there still remained on the staff, while we had no such alternative here. He did not know how this was to be cured, but it ought to be cured. It was the business of the hon. the Minister of Militia to take up this point. The army was not made for these gentlemen, but these gentlemen for the army.

MR. MITCHELL said that every gentleman who had spoken on this subject had admitted the necessity of a reduction of the staff. Under the circumstances, however, he would not press his motion to a vote, but allow it to be lost on the division. A general impression had been created from his remarks the other day that he desired, in some way or other, to do away with the volunteer force. He wished to place on record that he desired to do nothing of the kind, but when a million was appropriated for the maintenance of this service, he did not wish it to be squandered, but to have more of it given to the men who really did the work, and to eliminate and cut out the useless staff officers who were not required. He trusted that he had set himself right on this point. He would not like to see this country without a volunteer force, but when there was no actual necessity for extra officers, their number should be kept down, and the expenditure should be reserved for the payment of the men and the maintenance of the officers who were actually required for the due administration of the affairs of this particular service. The hon. member for West Middlesex had stated that he would leave this matter in the hands of the hon. Minister of Militia, as he was a young Minister and been but a short time in the



service; but the way in which Ministers had been changed during the last few years, kept them young Ministers all the time, and at this rate they would never get any redress.

Motion *negatived* on division.

MR. MITCHELL said that he would now propose a motion which he felt bound to press to a division. His previous remarks applied equally to this motion, and consequently he would not take up the time of the House any longer on this question. He moved:—

“That the House do not concur in the report, but that it be resolved that in the present depressed condition of the country, it is inadvisable to vote the entire sum of \$20,000 for the brigade majors in the said resolution.”

Motion *negatived* on division.

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

### After Recess.

On Resolution 71,

In reply to Mr. LANGEVIN,

MR. JONES (Halifax) said about the same plan as was adopted last year would be followed for the drilling of volunteers.

In answer to Mr. POPE (Compton),

MR. JONES said the drill would not be in camp, but at company headquarters in the country, and at battalion headquarters in cities.

Resolution *agreed to*.

On Resolution 73, Drill Sheds and Rifle Ranges, \$10,000,

MR. MITCHELL asked what it was intended to do with the drill shed at Montreal, which was in a most discreditable condition.

MR. JONES said that the Government had advanced \$12,000 for the construction of a drill shed, which, now that the roof of the drill shed had fallen in, the Government had called on the city to repair or return the money. The corps in that city were already suffering, and he was glad to see that the subject was receiving the attention of the Council.

Resolution *agreed to*.

On resolution 75, Military College \$50,000,

MR. MITCHELL moved, in amendment, that the item be not now concurred in, but that it be resolved that, in the present depressed condition of the country, it is inadvisable to vote so large a sum as \$50,000 for the support and maintenance of a Military College.

MR. JONES (Halifax) said if the hon. gentleman had moved against the Military College at all, it might be understood what he meant. But he did not say by how much the item should be reduced. The policy of having such an institution had already been pronounced upon by the House. The College was doing good work, and it could not be efficiently maintained for less than the sum now asked. He thought that the hon. gentleman should endeavour rather to perfect the system than to try to hamper it by such a motion.

MR. KIRKPATRICK said it was unfortunate that the member for Northumberland had not indicated where extravagance existed. If he objected to the principle of the College, he should have taken exception to its establishment. The College had been well established, and would make our native officers equal to any that we could import. The money was, he believed, well expended, and the country would reap great benefit from it. He hoped the hon. gentleman would withdraw his amendment.

MR. ROSS (Prince Edward) expressed his intention of supporting the College, and especially at a time when the Mother Country might require support. He knew the hon. member for Northumberland would be among the first to show devotion to England.

MR. LANGEVIN supported the vote, and said that the Military College should be maintained; it should be rendered more accessible to young French Canadians. He emphasized the value of non-commissioned officers, contending that some measure should be adopted by which a certain number of such officers should be turned out every year.

Mr. JONES (South Leeds) said that instructions were given in the Military College, not only to the higher grade officers, but to non-commissioned officers as well. He thought, while the member for Northumberland had his hand in, he might as well move to abolish the militia system altogether. He would find few, however, to support him in such a movement.

Mr. ROBINSON said that, knowing the pluck and gallantry of the militia, he intended to support that body. He hoped Canada would not make the mistake the Americans did, when they made raids upon their military schools and colleges just before the Southern troubles came on. This country should be always on the alert, and the militia should be well supported and encouraged. In conclusion, he urged the appointment of District Instructors in Musketry.

Mr. MACDOUGALL (East Elgin) strongly approved of the maintenance of a military college, especially as he learned, from those who knew of the management of the institution at Kingston, that it was most efficiently conducted.

Mr. JONES (Halifax) said he had given orders for the wide distribution of the new regulations as to instructions in the French language. He agreed with the hon. gentleman as to the importance of non-commissioned officers, and hoped that, next year, a vote would be taken which would insure a larger number of them being present for service.

Mr. MITCHELL said the speeches of hon. gentlemen around him reminded him of the celebrated lines about the Balaklava charge. There were colonels to the right of him, colonels to the left of him, colonels in front of him, and colonels in rear of him, and each gallant colonel he knew would be down on him when he proposed a reduction in the military items. This country could ill afford the expenditure that was incurred in the support of the Military College. It cost the country \$1,100 a year for each student, and when the students came out of the College they were unfitted for the ordinary business of life. There was a

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great deal too much money spent on staff officers, and while he did not like to see so many of them travelling about the country at the country's expense, he certainly would not impoverish the militia.

Question put, and motion negatived on a division.

Resolution agreed to.

On resolution 178,

Mr. LANGEVIN said, for what schools was this item appropriated? and how was it expended last year?

Mr. MILLS: I have the list made out, but it is at my office. I will give the hon. gentleman the information at a subsequent period.

Mr. LANGEVIN: I must say I am very unfortunate about this item. The same thing occurred last year.

Resolution concurred in.

On Resolution 185,

Mr. LANGEVIN said: Is this item to pay the salaries of the officers?

Mr. MILLS said this was appropriated last year for the expenses of the Keewatin Council. The greater portion of it was expended in the maintenance of a central cordon, and in regulations relating to the prevention of the spread of small pox. In fact this was a very small portion of the expense incurred. They expected this year to pay the expenses of the Council, to make necessary ordinances in the territory, to publish these ordinances, and to maintain order in the territory.

Resolution concurred in.

On Resolution 186,

Mr. LANGEVIN said: Where are these barracks being built? And what has been done with the buildings at Fort Pelly?

Mr. CARTWRIGHT said that these buildings still remained in use he believed. This vote, as the hon. gentleman would see was much too small to provide for any considerable expenditure. They meant to make the men do as much of the work as was possible; the intention was to considerably improve Fort McLeod, to erect some better buildings at Shoal

Lake, and also to increase the accommodation at Fort Walsh, at Fort Killderry and Fort Saskatchewan; and to a certain extent at Swan River. These were the places at which this money was intended to be expended, and it would go, he believed, chiefly in providing materials which the men themselves were expected to put up.

Resolution concurred in.

On Resolution 78,

MR. MITCHELL said he had called the attention of the House when in Committee to the expenditure of the Mounted Police, and to the very extraordinary and very extravagant charges connected with this service. He did not desire in any way to cripple or impair the efficiency of the service in any way, but he had arrived at a thorough conclusion from carefully looking over the accounts, and from having had the fullest explanations which the Government could give in this regard, both in the Public Accounts Committee and the House, that a very much larger sum of money was spent in connection with this service than the exigencies of the service warranted. The charges alone for the food of the 333 horses were enormous, and something far beyond what, in his opinion, ought to be expended in that country, where it was represented that horses and cattle could maintain themselves at all seasons out of doors. He did not mean to apply that horses which were daily used could keep themselves in this way, but for a great portion of the year the horses could, for the most part, find food for themselves, while the small detachment required for service could be fed in the stable. If, however, it was required to stall-feed the horses the whole of the time, surely this large number of men might raise some of their own oats, and cut and cure some of the hay necessary for the maintenance of their horses, and the men might break up the land and sow oats, as had been done by settlers who had gone out west. A gentleman had testified the other day that at one of these posts a field of ten acres had been broken up and used for the growth of very good and valuable oats. There was no reason why it should take from \$17,000 to \$18,000, as the Public

Accounts showed, for horse feed. He simply wished to record his conviction in this regard and to ask the House to adopt a resolution approving of the reduction of this vote to a sum which would be within reasonable proportions, and whilst maintaining the force in all its efficiency limit the expenditure to something of a more reasonable character. He moved:

“That the House do not concur in the resolution, and that it be resolved:—That inasmuch as the expenditure for the maintenance of the Mounted Police seems to be out of proportion to the requirements of the service, it is desirous to reduce the sum from \$306,000 to \$256,000.”

MR. CARTWRIGHT said he would be very glad to accept the amendment if he could entertain the slightest hope that this service could be effectively performed for the sum mentioned. He was sorry to say that their experience during the past 3 or 4 years, although it gave them some reason to believe that the expenditure might ultimately be reduced to a figure something like this would not warrant them unless they were able to reduce the number of the troopers, in hoping that any reduction could be made in the vote asked for. He was not surprised that the vote was regarded as one of a formidable character; but they were unable to continue the service in its present proportions with less. They had tried to reduce the cost of oats which was very large, but had been unsuccessful. The Government was keenly desirous of reducing this expenditure, but it was impossible. He could assure the hon. gentleman that the men were at present pretty hard worked and so long as the duty devolved upon them of watching the movements of the hostile American Indians who had come into that country, he could not hold out much prospect of the number of the force being reduced or of the expenditure being diminished. It might possibly, to some extent, allay the fears of the hon. gentleman that great extravagance was manifested here if he mentioned that a regiment of English Dragoons was said to cost about £50,000 stg., while the rate was something like \$750 for each horse and man in this force. It had been found

requisite to maintain the horses in good condition to provide them with oats, and he was sorry to say that apparently nothing else would answer the purpose. He thought, however, that in course of another year or eighteen months, the growth of settlements around these posts would enable them to supply themselves with oats, but certainly this could not be done during the current year. They could not possibly reduce the force as matters now stood, and under the circumstances, he thought that the hon. gentleman would not consider it necessary to press his motion to a division.

MR. BLAKE said that when he had charge of this force, he was very much impressed with the notion of the hon. gentleman, but experience proved that the horses must have full rations of oats. The horses of the country which were grass fed, were used in relays or changed frequently in long journeys. Full rations had to be supplied during the whole season in which the force might be used at all in the dead of winter. An attempt had been made to raise oats by the men, but the first growth was destroyed by the grass-hoppers. Preparations were made for a second attempt when he ceased his connection with the Department, but what the result was he knew not. He found that the cost of maintaining the United States troops in those western out lying districts was even greater man per man than the expenditure which the Department was obliged to ask the House to vote for this force. Nevertheless, he entertained the hope and confident expectation that the price of cereals in that country would diminish by a reasonable increase in the settlement of it. This vote in accordance with the hope held out by the hon. gentleman, would be considerable reduced.

MR. MITCHELL said he hoped his hon. friend did not wish this House to pass the expenditure for that service upon the alleged plundering system adopted in the United States with respect to their Indian affairs.

MR. BLAKE said he understood it was the Indian that was plundered.

MR. MITCHELL: The plunder comes out of the avowed cost of the service.

MR. CARTWRIGHT.

MR. BLAKE: On the contrary, that was reformed. The Indian service was now proposed to be committed to the military, in order to avoid the plundering which took place under civilians.

Amendment *negatived* on division.

Resolution *concurred in*.

On Resolution 90,

MR. LANGEVIN asked, with respect to this item of \$250,000 for the Grenville Canal, whether there been an expenditure made on this work during the current year without an appropriation from Parliament?

MR. MACKENZIE said there had been an expenditure on this during the last three months, but no money had been paid out.

MR. LANGEVIN said the hon. Minister had stated when this item was under consideration of the Committee, that he had thought the Government should take advantage of the low rates of wages to go on with this work.

MR. MACKENZIE: No. I said there was a great cry for labour, and I felt the Government would be justified in commencing the work, trusting that Parliament would furnish the money. There has been no money expended, but a certain amount of work has been done, which the Government expects to pay for under the estimate.

MR. LANGEVIN said the expenditure had been incurred, and although the money had not been paid, it was a liability of the Government, and, of course, must be paid. He did not say the object was not a laudable one, one for the good of the labourers, but he thought it against the law of Parliament that a liability of that kind, without the authority of Parliament. There were cases in which Government might take the responsibility of incurring expenditure and rely on Parliament afterwards to sanction it. This might be one of those cases, but there should have been an application, a Bill, laid before Parliament to indemnify the Government. He did not wish to make a motion about it now to censure the Government, but as guar-

dians of the public money they should, at all events, affirm the principle on this occasion, that, although work may be wanted and would likely be ratified by Parliament, the vote should be obtained first.

Resolution concurred in.

On Resolution 97,

MR. LANGEVIN asked, whether any repairs were to be made on the fortifications at Lévis. He had also received a letter from Quebec urging him to impress on the Government the propriety of having the work done by contract. He could not too strongly urge on the Government the propriety of doing that.

MR. MACKENZIE said the main expenditure would be in Quebec, especially in the citadel, a small amount would be expended at Lévis, though there were defects in the fortification there which would require to be removed sooner or later.

Resolution concurred in.

On Resolution 104,

MR. McCALLUM said he rose with reference to the item for Harbours and Breakwaters in Ontario, as he had not obtained a satisfactory answer with respect to it when it was being discussed in Committee. He would be the last man to oppose an estimate of this kind, if it were in the interests of the shipping of this country. When this pier was made, it would only be ten miles from the Rondeau Harbour, and to put an amount in the Estimates with the avowed purpose of making a harbour of refuge was ridiculous. It could not be justified that this should be built, because there was a little pier on the lake shore where the Government had expended no money before, and which was simply in the interests of a few private individuals, and which was only ten miles from where there was a good harbour, on which the Government had expended a large amount. Further, it could not be in the interests of the people, because it was only four miles from a railway station. There was no excuse whatever for this expenditure. The policy of the Government, as declared by

them when in Opposition, was to commence no new works, to expend nothing on local works. They were selling their harbours, giving them away for almost nothing. Another job had come to light. Last year there was an appropriation of \$7,500; why was this not spent? The Minister of Public Works did not give a satisfactory answer. There was another \$7,500 voted this year, which made \$15,000. It was said the township or the municipality of Howard was to give a certain amount towards this harbour, but the hon. the Minister of Public Works did not mention the amount. He had in his possession a paper published in that county, in which it appeared the municipality of Howard had been kind enough to give notice that they would pass a by-law, to contribute towards building said harbour \$2,500, and the amount coming to them from the municipal loan fund. The Government said they were going to build a harbour on the lake shore for the benefit of vessels. A little pier on the lake shore might be called a harbour, and it would suit very well as long as the weather was fine. But the moment the wind came from the south or south-west, it would be useless. The hon. the Minister of the Interior shakes his head in dissent. No doubt there were people in that part of the country for whom he would do all he could to obtain this money, but he does not tell this House why he desires to do so, nor condescend to address the House on this matter. The policy of the Government should be to give value to the people for the money expended, but they never could get value for this expenditure. This was only \$15,000, but he desired to know if the Government were going to continue to spend money there, and how much the township was going to contribute towards building the harbour. He considered it would be money entirely thrown away. Did his hon. friend think he could build a harbour of refuge there for \$25,000, it would take at least \$200,000 to do it. He moved:—

“That the said Resolution be not now agreed to, but that it be referred back to the Committee of the Whole House, with instructions that they have power to amend the

same by striking out the sum of \$7,500, provided for Morpeth, Lake Erie,—the said expenditure not being in the interest of the public.”

MR. MACKENZIE said he had previously given a very full explanation in regard to this matter.

Question put and motion in amendment *negatived* on a division.

In answer to MR. MCCARTHY,

MR. MACKENZIE said the work to be done in the Collingwood Harbour would be done by contract.

Resolution *concurréd in*.

On Resolution 109,

MR. STEPHENSON moved in amendment:—

“That the said Resolution be not now agreed to, but that it be re-committed for the purpose of specifying the certain localities and improvements on which the sum of \$110,000 mentioned therein, shall be applied, so as not to leave so large a sum of money to be expended, at the mere will or whim of the Executive, without appropriating the sum as far as possible to the works approved of by this House.”

He said that a principle was involved in this resolution, which had been sustained on previous occasions. He would probably not have moved the resolution had he received satisfactory answers to the questions which he had put early in the Session, but he found that there was now voted for the improvement of navigable rivers, \$10,000; for dredging, \$110,000; and for miscellaneous, \$70,000, to be spent wherever required, making a total of \$190,000, in connection with which there was no place named. He hoped the Government would see fit to give some explanation as to where the money was to be expended.

MR. MACKENZIE said that for obvious reasons it was impossible for the Government to accept the amendment. He had stated generally that the dredge which the Government had on the the lakes, which was now in Bayfield, would be employed for the season at the harbours where she was required—first at Kincardine. How long it might take to clear the mouth of Bayfield Harbour he did not know. Then the work at Owen Sound and

MR. MCCALLUM.

Collingwood Harbours had to be executed by their own dredge, or by hiring another dredge. They hoped to accomplish some work in the Bay of Quinte, by hiring a dredge. It was impossible to say how much there was to do in the Harbour of Belleville. An arbitrary division of the vote would only have this result, that they would come to the end of a particular sum, at a point where it would be very inconvenient and wrong to suspend the work. In regard to the Lower Provinces, he had stated that the dredge would go to Miramichi. When the small dredge *Cape Breton* finished her work in Bayfield Harbour she would be sent to River John, and possibly do some work at the railway wharf, Pictou. Thence she would probably go to Cheticamp on the west coast of Cape Breton. If they could obtain the services of another dredge in Nova Scotia it would be used in the harbours along the coast in which the large dredges could not work. It was quite impossible for him to define the amount that would be spent in each harbour. Experience had shown that this was impossible. Every possible detail was given. The only places where they expected to do dredging by contract were at Collingwood and in the Bay of Quinté. The vessel had been waiting until the ice left, to go to Wood Island, Queens Co., Prince Edward Island, and would thence go to Grand River and probably to Crapaud Harbour. A division of the money was quite impracticable.

MR. BLAKE said he had not objected to this item in this form when gentlemen in whom he had no confidence were in power, and he certainly would not object to it when gentlemen in whom he had confidence held office.

MR. BOWELL said if the question came to vote the hon. member for South Bruce would vote against a principle laid down by himself (Mr. Blake). This hon. gentleman had, when in Opposition, moved a resolution against a similar vote for drainage purposes. The principle he ventured to say was about the same.

SIR JOHN A. MACDONALD said he did not see any difference between the principle laid down as to drainage and dredging. There were precisely

the same, both were for public improvements, and if there should be a control by Parliament of the expenditure in the one instance there should also be in the other. No excuse could be given for not proposing distinct votes for this service. Any hydraulic engineer who knew his business could make the estimates required. The real trouble was, it was non-convenient for hon. gentlemen opposite to carry out the principles which they advocated when in Opposition, and they had the authority of the Premier for saying that any public man who would not carry out in office the principles avowed in Opposition was nothing better than a demagogue.

MR. MACKENZIE: I hold that now.

SIR JOHN A. MACDONALD said the hon. gentleman might say so and if he said so of course he thought so, but he thought that what the hon. gentleman thought was evidently most erroneous. This vote was not for a small sum, it was for \$110,000, and there was no earthly reason why the information asked for could not be given, not merely verbally, but placed on record in the votes of the House. The country would and must believe that the keeping of this sum *en bloc* was done for the purpose of meeting political exigences, and of sending these dredges at the right time to the right place just before an election occurred all of which in the expenditure of public money was very pleasant to the electors and the ministerial candidate. The hon. gentleman might as well propose votes for \$25,000,000 or \$38,000,000 and vote them *en bloc* in that detail, saying: "We will settle that and divide the money ourselves, and arrange things as a paternal Government should." This was simply the proposition made, and it was directly setting aside the principle that Parliament should have complete and specific control over the expenditure of public money. He hoped his that hon. friend would press the resolution.

MR. MACKENZIE said that if the hon. gentleman had been in the House when he made his explanations, he (Sir John A. Macdonald) would have

made a different speech. He had no objection, however, to again go over his explanations. This sum was to be almost entirely spent in the payment of wages, and the expenses of their own vessels.

SIR JOHN A. MACDONALD: The greater need of a check.

MR. MACKENZIE said the hon. gentleman was playing the worst part of the character he had mentioned a few minutes ago. When the hon. gentleman spoke he only manifested his own utter ignorance of the subject he treated.

SIR JOHN A. MACDONALD said he was very much obliged to the courtesy of the hon. gentleman, who had been trying to restrain his natural disposition during the last few weeks, and had consequently got along pretty well; but if the hon. gentleman wished to get away from here soon he had better not return to his old manner. Any hydraulic engineer could supply the estimates required, and this was incontrovertible. The depth of the places to be dredged was known, and the extent of the work done, and the question at issue was one of simple calculation. Any unforeseen expenses could be met irrespective of this vote.

MR. CARTWRIGHT said that this vote in 18,0-71 was for a lump sum \$30,000, also, and in 1872-73, amount \$30,000, and also in 1873-74, amount \$55,000. To the best of his recollection the then Opposition had not objected to this mode of voting this money. He personally knew that it was extremely difficult to form accurate estimates in this relation, from expenditures made in his neighbourhood. Whenever practicable he agreed with the hon. gentleman that it was extremely desirable to give these details. It might, however, be desirable in future Sessions to endeavor to procure the votes somewhat more in detail, but he did not think that anything would be gained by it.

MR. McCALLUM said that the explanation appeared to him to be very lame. If it was desired to ascertain the amount of money that was to be expended in each harbour, certainly

an engineer could tell the number of yards to be removed in each harbour, and hon. gentlemen opposite ought to know the expense per day of each dredge, and also the number of yards per day that each dredge would be able to remove, so that it was no trouble at all to get at the time required to remove a certain number of yards, if it was desirable to do it; but hon. gentlemen opposite, of course, were going back on their record, and the excuse given for this by the hon. member for South Bruce was this: the hon. gentlemen said he had confidence in his Government.

MR. BLAKE: No.

MR. McCALLUM: But this is not an excuse.

MR. BLAKE: I stated that this vote, for several years, was made in the same form by a gentleman in whom I had no confidence, and I did not oppose it. I thought that this was not an objectionable form for this particular vote; and, certainly, I am not now going to oppose it when asked for by gentlemen in whom I have confidence.

MR. McCALLUM: The hon. gentleman was against this thing before. His own resolution had even been quoted here. The hon. gentleman voted for a resolution similar to the one now before the House, as he understood it; and the hon. gentleman gave, as his reason for his course tonight, that it was because it was proposed by a Government in whom he had confidence. He drew the inference—and certainly it was a fair inference to draw—that because the hon. gentleman had confidence in this Government, he was willing to vote any amount of money they might ask for on trust.

MR. BLAKE: No.

MR. McCALLUM said he could see no other way of looking at the question, by anyone who judged of it dispassionately. He would be very sorry to judge a Government in that way; and to vote an amount of money, whether he had confidence in the Government or not, without receiving proper explanations about it. He would be very sorry to so vote money,

MR. McCALLUM.

even to be expended in his own locality. But the hon. the Minister of Public Works had told him, a few minutes ago, that he (Mr. McCallum) should not oppose the waste and the extravagant use of public money, because the former Government of this country had thought it was their policy and duty in the interests of the country to spend a large amount of money on the Welland Canal where he happened to reside, and had thought to do so before he went to reside there; and this was given as an excuse and as a reason why he should not, in doing what he considered was his duty to the people of the country, raise his voice against the extravagant and wasteful use of the people's money. He could assure the hon. gentleman that he did not wish to be offensive; but it would take more argument and browbeating than was shown by these hon. gentlemen opposite to put him down in this House. He intended to do his duty, and if the hon. gentleman thought he could put him (Mr. McCallum) down, and prevent him from expressing his opinions in this House, the hon. gentleman would find himself very much mistaken.

MR. BOWELL: The amounts spent in the Bay of Quinté were mentioned in the Estimates: Belleville, \$10,000; Napanee, \$5,000; and Trenton so much.

MR. CARTWRIGHT: Wherever the municipality subscribes, we put in the amounts. The Government supplemented the vote mentioned, but the general dredging vote is never divided.

MR. LANGEVIN said the hon. the Minister of Finance had remarked that this item in 1871-2-3-4 had appeared, and that the items were \$30,000 for one year and \$50,000 for another. The hon. gentleman must see that this service had been increased very much; and that a statement as demanded might fairly be laid before the House in order that they might know the exact employment of this sum.

MR. MACKENZIE: I would be very glad to do so.



MR. LANGEVIN: That was done verbally.

MR. KIRKPATRICK pointed out that the whole of the House had not the same confidence in the Administration that the hon. member for South Bruce had. The granting of this large sum of money without details was placing a great deal of power in the hands of the Government, and it was a pity the hon. member for South Bruce drew such a distinction between his principles in Opposition and his principles as the supporter of an Administration.

MR. MILLS said the principle was not applicable to this case, because of the difficulties of dredging.

MR. PLUMB said it was evident an item of this kind could be used for specific and partial purposes, and the Opposition were, therefore, justified in scrutinizing it. If hon. gentlemen rejected the amendment they would have to take the responsibility of it.

Question put, and motion in amendment (*Mr. Stephenson*) negatived on the following division:—

## YEAS:

## Messieurs.

Benoit,	McMillan,
Bolduc,	McCallum,
Bowell,	McCarthy,
Cameron,	McQuade,
Caron,	Méthot,
Costigan,	Monteith,
Currier,	Montplaisir,
Cuthbert,	Mousseau,
Daoust,	Orton,
Farrow,	Quinet,
Ferguson,	Plumb,
Gibbs (South Ontario)	Rochester,
Gill,	Roy,
Harwood,	Ryan,
Jones (South Leeds),	Stephenson,
Kirkpatrick,	Thompson (Cariboo)
Langevin,	Wallace (South Norfolk)
Lanthier,	White (East Hastings),
Little,	White (North Renfrew),
Macdonald (Kingston)	Wright (Pontiac)—40.

## NAYS:

## Messieurs.

Appleby,	Jones (Halifax),
Bain,	Kerr,
Béchar,	Killam,
Bernier,	Lafamme,
Bertram,	Lajoie,
Biggar,	Landerkin,
Blake,	Langlois,
Borden,	Laurier,
Borron,	Macdougall (East
Bowman,	Elgin),

Brouse,	McDougall (East
Brown,	Renfrew),
Buell,	MacKay (Cape Breton),
Burpee (St. John),	Mackenzie,
Burpee (Sunbury),	McCraney,
Carmichael,	McGregor,
Cartwright,	McIntyre,
Casey,	McNab,
Casgrain,	Malouin,
Cheval,	Mills,
Christie,	Norris,
Church,	Oliver,
Coffin,	Paterson,
Cook,	Perry,
Delorme,	Ray,
Devlin,	Richard,
Dymond,	Ross (West Middlesex),
Ferris,	Ross (Prince Edward),
Fiset,	Rymal,
Fleming,	Scatcherd,
Flynn,	Scriven,
Forbes,	Sinclair,
Galbraith,	Skinner,
Geoffrion,	Smith (Peel),
Gillies,	Smith (Selkirk),
Gillmor,	Smith (Westmoreland),
Goudge,	St. Jean,
Greenway,	Taschereau,
Guthrie,	Thompson (Haldimand)
Hagar,	Trow,
Higinbotham,	Wallace (Albert),
Horton,	Wood,
Irving,	Young.—86.
Jetté,	

On Resolution 197, Salaries and Concurrences of Canal officers, \$32,020,

MR. MCCALLUM said he thought superintendents should have the appointment of all their officers. He knew cases where men had been appointed against the Superintendent's recommendations. The staff and repairs had cost in 1869, \$76,383; in 1870, \$81,793; 1871, \$100,749; 1872, \$92,164; 1873, \$92,013; 1874, \$110,932; 1875, \$154,632; 1876, \$141,134; 1877, \$109,742; and this year \$114,359, an increase of \$170,731, in the five last years, as compared with 1873. In all these cases he was referring to the date of the Public Accounts laid before Parliament. The increase of the staff was owing to pressure being brought upon the Government, and would not have taken place, if left to the Superintendents. In 1869, the staff alone on the Welland Canal cost \$40,173; 1870, \$39,060; 1871, \$40,340; 1872, \$42,382; 1873, \$37,085; 1874, \$45,382; 1875, \$50,960; 1876, \$52,595; 1877, \$53,212 and by the Public Accounts laid before the House in 1878, \$59,916; shewing a total increase in five years of \$76,438, as compared with 1873, and in the year 1878 an increase of \$22,931 over 1873. He

wanted every man to have a full day's pay for a full day's work, but he did not want to send three men to do the work of two. It was said that the present Government were economizing, but he knew where an officer used to discharge a duty without an assistant for \$2,166 a year, the present man was getting \$4,600 a year.

MR. MACKENZIE: Who is that?

MR. McCALLUM: The officer I speak of is the late Thomas Adams.

MR. MACKENZIE: But who is the present one getting \$4,600.

MR. McCALLUM: R. D. Dunn, paymaster on the Canal. That appears in the Public Accounts.

MR. MACKENZIE: That is not correct. There is no person getting that salary there.

MR. McCALLUM: It is so laid down in the Public Accounts. Of course, he is a good officer, and I have no fault to find with him.

MR. MACKENZIE: Mr. Dunns' salary is \$1,500. He is paid \$4,608 for allowances and salaries to the lock-masters on the Canal.

MR. McCALLUM said he was very glad to receive the information, but it did not change the result. The average expenses of the staff on the Welland Canal had increased over 50 per cent.

MR. MACKENZIE said R. D. Dunn was the paymaster, and the sum was allowed him for payments of House rent. His salary was \$1,500. He was not aware that there was an excessive salary paid to any person on the Canal, and he was not aware of any political pressure being used over any lockmaster, or any one else on the Canal. As a rule Mr. Bodwell appointed all lockmasters, and referred the appointment to the Department at Ottawa for confirmation; and unless there was some reason against it, the appointment was usually confirmed.

MR. BOWELL said a large number of vessel owners had petitioned for the removal of Mr. Cameron. About 50 petitioned for his removal and recommended the appointment of Mr. Carter, and about 100 other vessel owners

had recommended the retention of Mr. Cameron. Mr. Bodwell reported that the petition for Mr. Cameron's removal was principally from vessel owners who had transgressed the laws, and whom he had fined, and he recommended that Mr. Cameron should be retained. Nevertheless, this officer was removed and Carter put in his position; and the letter or letters recommending Carter had been lost or mislaid. They were not in the papers. He did know anything about Carter's tugs, though this man might be a tug owner. It struck him as singular that the Minister whose memory was usually so good should have forgotten these facts.

MR. MACKENZIE said he had merely brought down the papers. He, however, recollected very well the name and the change made, but he had no recollection of the precise circumstances, save that Carter was charged with being an owner of tugs.

MR. McCALLUM said that Carter was a first-rate officer, also Hamilton. The former was a good appointment. Hamilton was not discharged, but the duties which this man formerly did were now divided between the two. This office was uselessly created for Carter's benefit.

Resolution concurred in.

#### MESSAGE FROM HIS EXCELLENCY.

MR. MACKENZIE delivered a Message from His Excellency the Governor-General, which was read by Mr. SPEAKER, and is as follows:

"*Dufferin.*

"The Governor-General transmits to the House of Commons, copies of a correspondence which has passed with Her Majesty's Government respecting the inclusion within the Boundaries of the Dominion of Territories on the North American Continent.

"GOVERNMENT HOUSE,

"OTTAWA, 2nd May, 1878."

#### SECOND READING.

The following Bills were severally read the second time:—

Bill No. 77.—An Act for the better prevention of crimes of violence in certain parts of Canada, until the end of the next Session of Parliament.—Mr. Mackenzie.

MR. McCALLUM.

Bill No. 68.—An Act to amend the Act, chapter 11th, 38th Victoria, intituled: "An Act to establish a Supreme Court and a Court of Exchequer for the Dominion of Canada.—Mr. *Laflamme*.

Bill No. 75.—An Act respecting the traffic in intoxicating liquors (from the Senate).—Mr. *Mackenzie*.

MR. MACKENZIE moved that Bill No. 77 be referred to a Select Committee composed of Messrs. Blake, McCarthy, Laflamme, Jetté, Devlin, Langevin and Kirkpatrick.

House adjourned at  
Forty minutes after  
Twelve o'clock.

HOUSE OF COMMONS.

Friday, 3rd May, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS

PRINTING COMMITTEE.

MOTION TO ADOPT REPORT.

MR. ROSS (West Middlesex) said he moved the adoption of the 6th and 7th Report of the Printing Committee. The Committee had reconsidered the matter, but the only change they would recommend was that additional French and English journals should be furnished to members who spoke both languages.

MR. LANGEVIN said that they would, under this report, be supplied with only one copy of the Votes and Proceedings of Public Bills and of Private Bills. This was unreasonable. It was economy carried to such a degree that it became a nuisance. They desired to send copies to their constituents, and often to obtain advice on matters of importance that came before the House. Under this regulation, such a course would be impossible. The newspapers could not give all the details respecting measures that were considered in Parliament. They would now only have two copies of departmental reports, one in English and the other in French, and the

French members required them both. The extra cost for printing additional copies was very slight, and he hoped that the House would not adopt the report.

MR. ROSS said that the hon. member was labouring under a misapprehension. The newspapers, after all, gave all the information which the general public obtained on these points. It would be utterly impossible to publish a sufficient number of these documents to enable them to be sent to all their constituents. The expenditure this would require would be enormous, and would not be authorized. The newspapers would hereafter receive copies of all these documents, and the reduction in the number of departmental reports was only from 4 to 2, not a very serious matter. The printing expenses were growing rapidly, and this Session it would be increased from \$6,000 to \$8,000 in the publication of the Report of the Fishery Commission. The recommendations of the Committee would effect a saving of from \$12,000 to \$14,000, and he trusted that the report would be sustained.

MR. YOUNG said that it was absolutely necessary, in the interests of the public, that members could send copies of blue books and certain bills to their constituents. He, nevertheless, believed that, in many respects, the recommendations made were good; additional copies, after the type was set, would cost very little, and he would propose an amendment which would not reduce the saving proposed, at any rate, more than \$2,000. He moved:—

"That the Seventh Report be concurred in, except in regard to the number of copies of the Votes and Proceedings, Bills and Blue Books to be received by each Member for distribution, the number of which shall remain as heretofore."

Motion, in amendment (Mr. Young) negatived on the following division:—

YEAS :

Messieurs

Appleby,	Haggart,
Benoit,	Harwood,
Blain,	Jones (South Leeds),
Bolduc,	Langevin,
Bourbeau,	Lanther,
Burpee (Sunbury),	Macdonald (Kingston),

Cameron,	McDonald (C. Breton)
Campbell,	McDougall (Three Rivers),
Caron,	Macmillan,
Cook,	McCallum,
Costigan,	McInnes,
Currier,	Malouin,
Cuthbert,	Malouin,
Baoust,	Metcalfe,
Dewdney,	Méhot,
Dugas,	Mitchell,
Farrow,	Norris,
Ferris,	Paterson,
Fleming,	Platt,
Flynn,	Pope (Compton),
Forbes,	Ryan,
Gibbs (South Ontario),	Scatcherd,
Gillies,	Skinner,
Goudge,	Smith (Selkirk),
Greenway,	Thompson (Cariboo),
Guthrie,	White (N. Renfrew),
Hagar,	Young.—53.

## NAYS :

## Messieurs

Archibald,	Huntington,
Bain,	Irving,
Bécharé,	Jetté,
Bernier,	Kerr,
Bertram,	Kirk,
Biggar,	Kirkpatrick,
Blackburn,	Lafamme,
Blake,	Lajoie,
Borron,	Macdonald (Cornwall),
Bowman,	Macdougall (E. Elgin),
Brooks,	McDougall (Renfrew),
Brouse,	Mackenzie,
Brown,	McGregor,
Buell,	McNab,
Burk,	Mills,
Furpee (St. John),	Oliver,
Carmichael,	Perry,
Cartwright,	Pettes,
Cheval,	Pickard,
Christie,	Power,
Church,	Ray,
Coffin,	Robillard,
Uolby,	Ross (West Middlesex),
Coupal,	Scriven,
Delorme,	Sinclair,
Dymond,	Smith (Peel),
Flesher,	Smith (Westmoreland),
Galbraith,	Snider,
Geoffrion,	St. Jean,
Gibson,	Taschereau,
Gilmor,	Thompson (Haldimand)
Hall,	Trow,
Higinbotham,	Wallace (South Norfolk)
Holton,	Wood.—69
Horton,	

## THE NORTHERLY BOUNDARIES OF CANADA.

## RESOLUTIONS CONSIDERED IN COMMITTEE.

MR. MILLS moved that the House go into Committee of the Whole to consider the following Resolutions:—

1. That doubts exist regarding the Northern and North-Easterly Boundaries of the North-West Territories and Rupert's Land, transferred to Canada by order of Her Majesty in Council, of the 22nd June, 1870, incorpor-

MR. YOUNG.

ating the Territories of the Hudson's Bay Company and the North-West Territories with Canada.

2. That the discovery and working of minerals in the vicinity of Cumberland Sound have recently been reported, and other matters have transpired which make it important that all doubt respecting the jurisdiction of Canada over those parts of British North America should be removed with as little delay as possible.

3. That correspondence has taken place on the subject, between the Government of Canada and the Government of the United Kingdom of Great Britain and Ireland, which, through the Right Honourable the Secretary of State for the Colonies, has intimated its willingness to transfer, to the Dominion of Canada, all the Territories in question, and has invited an expression of the views of the Government of Canada respecting the propriety of legislation for that purpose.

4. That it is expedient that the right of Canada to all of British North America, and the Islands adjacent thereto (not including the Province of Newfoundland) should be placed beyond question, and that the offer of Her Majesty's Government to transfer the said Territories to Canada be accepted.

5. That to avoid all doubt in the matter, it is desirable that an Act of the Parliament of the United Kingdom of Great Britain and Ireland should be passed defining the North-Easterly, Northerly and North-Westerly Boundaries of Canada, as follows, that is to say: On the East by the Atlantic Ocean, which boundary shall extend towards the North by Davis Straits, Baffin's Bay, Smith's Straits and Kennedy Channel, including all the Islands in and adjacent thereto, which belong to Great Britain by right of discovery or otherwise; on the North the boundary shall be so extended as to include the entire continent to the Arctic Ocean, and all the Islands in the same Westward to the one hundred and forty-first meridian West of Greenwich; and on the North-West by the United States Territory of Alaska.

6. That the Parliament of Canada, on the transfer of the before-mentioned Territories being completed, shall have authority to legislate for their future welfare and good government, and the power to make all needful rules and regulations respecting them, the same as in the case of the other Territories; and the Parliament of Canada expresses its willingness to assume the duties and obligations consequent thereon.

7. That an humble Address be presented to Her Majesty embodying these Resolutions

He would observe that the boundaries of Canada on the North-East and North-West were at present not wholly defined. Hon. members would remember that in 1870 the North-West Territories and Rupert's Land were transferred to Canada; but the boundaries of the North-West Territories were never very

clearly known, and the boundaries of Rupert's Land were only given in the charter, which conferred this country on the Hudson's Bay Company in the time of Charles the Second. This charter provided that the Company should hold the territories within the Straits and Bay of the Hudson. What this meant was not very certain, but it certainly could not be the island at the entrance of the Bay or the territories in the north. It was true that the Hudson's Bay Company carried on, for a considerable time, the explorations and surveys to the north; and there were some explorers there after Hearne; but there was no sort of jurisdiction ever asserted over the country; nor were there any other parties that visited that distant region that necessitated any action on their part to have their authority clearly recognised. The Island of Southampton, and the other islands which lay in the entrance to the Bay, where large fisheries were carried on, had been the property of Great Britain since the time of Queen Elizabeth, and had never yet been annexed to any of the Colonies. They had recently been visited by American speculators, who had been exploring their mineral resources, and had made application to acquire certain rights on those islands, which application had been refused. It was well known, from recent explorations, that there were valuable mineral deposits upon those islands, and that the only large deposits of coal in that part of British America had been found on Southampton Island and other islands in its vicinity. He proposed, by this resolution, to take the necessary steps to have these territories transferred to Canada, and to remove all doubts with regard to our exact limits at the north and the north-west. The North-West Territories were formerly a part of the Province of Quebec. It had been held by the court of Lower Canada in, if he remembered right, the case of *Connolly vs. Connolly*, that the jurisdiction of that Province did extend as far north as Lake Athabaska. In these resolutions it was indicated that the boundary of Canada extended northward to Baffin's Bay, and included all the territory from the mainland to the Arctic Ocean and the islands to the

west; it extended to meridian 141° west Greenwich. That was the line separating the territory of Great Britain from the American possessions of Alaska. These resolutions excepted, of course, the territories included in the Province of Newfoundland, which, hon. gentlemen knew, not only embrace the islands but a considerable portion of the territory on the Labrador Coast. In the British North American Act there was no provision that these territories might be acquired, as the North-West Territories and Rupert's Land had been acquired under 141st section of the Act. There was no provision for the annexation of any of these territories, except Rupert's Land, to the Provinces of British North America. Those particular possessions of Great Britain referred to in this resolution could only be transferred to Canada by an Act of the Imperial Parliament.

Mr. MITCHELL said he did not feel quite in a position to speak intelligently upon this matter at present, as he had only had the papers and returns in his possession the last five or ten minutes. He had expected the hon. the Minister of the Interior, when submitting a matter of such importance to this Parliament, would have taken the Parliament into his confidence and have informed them of the reasons which moved him and his Cabinet to assume a responsibility which magnitude and extent exceeded anything Canada had ever attempted to assume. He (Mr. Mitchell) recollected, when there was a question of purchasing the great North-West, with its extensive fertile region, which was now being filled up so satisfactory, at the rate of one to two thousand immigrants per week, and which was bound to become a happy home for millions, the opposition with which that proposal was received by hon. gentlemen opposite. They said, when the proposal was made to expend £300,000 sterling to buy the rights of the Hudson's Bay Company, that Canada would be weighed down by a burden, by a liability on the future, from which they could never recover, and that the Government were taking upon themselves a respon-

sibility which they could not justify. When there was question of annexing British Columbia, and assuming the expense of making those connections which a colony had a right to make with the parent state, the Government was charged with pursuing a suicidal course, that British Columbia could be of no possible service to Canada, that her remote position upon the Pacific coast, with a territory almost uninhabitable and with intervening ranges of mountains considered almost impassable, rendered it impossible that annexation could be of benefit to the Dominion; they said it was a piece of folly to take her into the family of the colonial union. The Government of that day gave their consent for the annexation of those two great sections of the continent, the North-West and British Columbia; they took the House into their confidence and explained that it was done in the interest of extending British power and maintaining British institutions and allegiance from the Atlantic to the Pacific, and for the purpose of providing homes for the thousands of starving people in Europe whom it was desirable to attract to our shores. The results proved the soundness of the policy. We have got in the North-West an immense region susceptible of immediate occupation, where the farmer could go with his plough, and without having to cut down a tree, plough thousands of acres on a stretch, where the climate was such as to attract people from the genial climes of the Western States, and into which people were pouring from Ontario. There were other reasons for the annexation of that country. There was danger in the vicinity of an immense tract of country lying in such close proximity to a powerful neighbour. There was a probability that this country might become annexed to the United States by emigration from the United States, and in British Columbia there was an agitation, at the time, in favour of annexation to the United States. There were imminent reasons for entering into an arrangement for the purpose of securing within the limits of Canada those two immense sections of the western country. Had the hon. the Minister of the Interior in his speech

presented a single argument in favour of the annexation of that great Arctic region? Had Canada not sufficient territory for the next century? Were not the enormous extravagance of the hon. gentlemen opposite sufficient to make us careful how we should assume responsibility of governing that immense territory stretching from the Northern Atlantic to the boundaries of Alaska, on the Arctic Sea? The hon. gentleman said the boundary of Rupert's Land was not defined. What inconvenience resulted from that? The hon. gentleman had failed to show the annexation of that country would increase the wealth or population of Canada, that there were any inducements to emigrants to settle there. Could Canada be expected to assume the responsibility of administering criminal law on the borders of the Arctic Sea? If the resolution were adopted, Canada would be bound to do it. There would be no desire felt by the people of this country to accept responsibilities from which they they could derive no benefit. He did not know what this volume of despatches which had just been laid before the House contained: he saw they dated back four years; this correspondence had been going on between the British Government and Canada for four years. It was not business or statesmanlike to come down at the end of the Session, and take the House and public by surprise, with launching a scheme calculated to impose upon the country an amount of responsibility which it was not prepared to assume. The Government should have produced these papers earlier, and have allowed the House time to consider the question, and not endeavour to obtain a snap verdict. What did the Government fear in relation to that territory? Were they afraid of our American friends; no. They had as much North-West Territory as they wanted; if there were any danger from that quarter, there was a proper way to instruct the House about it. Did the Government fear that Denmark, the nearest country to us on the Atlantic coast, would assume any title to that property? There was no reason to fear that any special country

would make the slightest attempt to obtain that territory. Why should we assume the responsibility? The British Government had hitherto controlled that region; no complaint had been heard in relation to the administration of criminal or civil laws, if such existed there. If Canada assumed the responsibility, the Government would have to send a force of some kind there. Another Keewatin would be created; some other leading politician would be sent there to govern the country, at the expense of the rest of Canada. It would be the greatest madness to submit to the House to assume the responsibility of governing that territory, extending from the borders of civilization to the Arctic Ocean. It was unjust to the representatives of the people to launch upon them, at the close of the Session, this scheme, without giving them time to consider it, or even to appraise the expenditure which it would involve. When the late Government asked to unite these countries to the Dominion, they did so because the people of the North-West desired, the people of British Columbia desired it. But the measures which had been taken to annex the North-West were looked upon, by a portion of its inhabitants as arbitrary, because they said their wishes had not been consulted. He (Mr. Mitchell) recollected the position taken by the hon. the First Minister and the hon. member for South Bruce, when the difficulties arose in Manitoba. They said we had no right to assume the responsibility of purchasing that territory over the heads of the people, to take that country from the Hudson's Bay Company, acting under the supervision of the British Government. If there was no reason, then, when an object was to be gained, when British power was to be extended by pursuing that course, how could they justify the pursuing of a similar course which would produce no benefit, annexing a territory whose people had not been consulted, and not a single individual of whom, either civilized or savage, had petitioned to be annexed to Canada? The matter seemed simply preposterous; the country did not want another \$330,000 per year to be expended on the North-West Police, \$200,000 more on other

useless stuff, such as existed in the North-West to-day. He did not want the hon. gentleman to tell this House that we had got the responsibility, and, as the hon. the Finance Minister said the other night, we knew it was costing too much, but it was very easy to remove it; it cost a great deal to get provisions there to keep men and horses but, having the responsibility, we must pay the expense. And some two or three years hence, when this iniquitous act will have been perpetrated, which it will be, if the Government succeed in passing the resolution through this House, and if they return to the Treasury benches, a set of resolutions may be launched on the House informing them that it was desirable to make provision for the Government of that country. A Governor, a staff of officers, a Secretary of the Treasury, a staff of policemen, would have to be created and paid by the people of this Dominion. If objected to, the hon. the First Minister would tell this House: "You should have objected when the resolutions were introduced; having passed them, we are bound at any cost to take the necessary means of governing the country of which we have assumed the responsibility." He (Mr. Mitchell) knew there was no use talking to hon. gentlemen opposite about this matter; they had made up their minds on it. They might see some great national benefit to be derived from this measure, but, if so, let them state it to the House; let them explain the reason which had induced them to assume the responsibility of such a measure. Let them take the House into their confidence, and not ask us to assume the responsibility of governing one-fourth of the whole continent of North America without a single reason being alleged that in its results it would benefit the Dominion. These were the views which he (Mr. Mitchell) took on this matter, and, although he stood alone in his views, he deemed it his duty to present them for the consideration of this House.

SIR JOHN A. MACDONALD said he must join issue with the hon. member for Northumberland on these resolutions. He thought the Government did perfectly right to press them with

all due speed, and if they were liable at all to blame in the matter, it was that they did not take it up in 1875. Since this proposition was made, they would be false to their duty, as representing this great Dominion and laying the foundations of its future, if they did not at once accept it and ask the Imperial Parliament to pass an Act adjudging to the Dominion this large tract of country. The hon. member for Northumberland was very much frightened at the expense. The hon. the Minister of the Interior had informed them that that great North-West, the Arctic portion of British North America, had been owned by the British nation since the time of Queen Elizabeth, and he did not think it had cost England much up to this time. He did not think it had cost her anything, and he did not suppose there was any necessity after its transfer to Canada, that it should cost Canada any more than it had cost England, until settlements were made there. When settlements were formed and a number of English people settled there, it certainly should be treated as a portion of the Dominion. An American was said to have boasted of the natural limits of the United States, that it was bound by Cape Horn, and the Aurora Borealis; we must cut them out of that, we must extend our territory to that bright luminary. He had read last night the papers laid on the Table. He thought the Ministry had acted with due discretion in laying them before the House in a semi-confidential way. The less publicity was given to them, the better, because there suggestions in them which might be used against us if they fell into unfriendly hands; therefore, the Government had acted prudently. The papers showed there were interests concerned, above that of money alone. British subjects could go there and work the mines and fisheries, and settle there. We ought to be just to Her Majesty's Government, which had met our views in forming Confederation, and, in extending the original Confederation, England had, by right of discovery and formal occupation, the sovereignty of that vast territory, but England had really no interest in that country, and if we Canadians had no interest in it, and would not take the

trouble of looking after it, of assuming its sovereignty and developing it, England would be perfectly justified in surrendering the right acquired by prior sovereignty, and the great question of abandonment might arise; and when England had abandoned that country, and Canada was so faint-hearted as not to take possession of it, the Americans would be only too glad of the opportunity, and would hoist the American flag and take possession of that territory. That country was known already, through information we had of it, to be very rich in mines of all kinds, possibly in coal. The fisheries were supposed to be exhaustless, and Canada required a great lever with respect to any future arrangement with the United States in those very same fisheries. In the Washington Treaty, the reciprocal right of fishing was limited between certain degrees of latitude. The permission of the United States to fish in our waters was also confined to certain degrees of latitude, and in 1871 the Americans were exceedingly anxious to get a foothold on those fisheries. The treaty of Washington, whether the fisheries were good or bad, was not going to last much longer. In any future negotiation for a reciprocal trade, we would have, if we did not throw this opportunity away, not only the fisheries already allowed the Americans, but those far northern fisheries and those of British Columbia as well, to use as an important element in making a satisfactory treaty with the United States. In this country we had the game in our hands, if we passed these resolutions. All that was required was that there should be some two or three officers ostentatiously appointed as being officers of the Canadian Government, as soon as the Imperial Act was passed and the country transferred to Canada. Then the question of abandonment could not arise, there would be a visible occupation, there would be the officers of the Canadian Government there, exercising their powers as such; one or two men could do all the business. The country was rich in mines of iron, copper, gold, silver and large deposits of mica which the Americans were now taking away in large quantities. If these sources of wealth were to be developed, we could surely



afford to have officers there who would charge a royalty for any privileges to be given there. It would be unworthy of us, it would show we were unworthy to be founders of this Confederation were we to throw away this charge. England would have a perfect right to say: "What interest have we in this country? It lies far to the north of us; it is a portion of your country; if you will not take it, why should we trouble ourselves about it? We will let it go to the first adventurers of any country to take possession of." These considerations pressed upon him strongly that he hoped these resolutions would be adopted without delay, and this Bill, if possible, be obtained in the Imperial Parliament during the present Session.

Mr. LANGEVIN said this was only a natural consequence of the work which was commenced in 1867. At that time they had not been afraid to incur a debt of \$20,000,000, to enable them to build the Intercolonial Railway, believing it to be necessary in their new position after the Confederation of the four Provinces. Shortly afterwards they considered that the Confederation required an extension westward, and they acquired the North-West Territories for a large sum of money proportionately to the means of the Dominion. Shortly afterwards they acquired British Columbia, and they had determined to build a Pacific Railway, in order to unite both oceans by a road through which they hoped to carry the trade of the world. If after all these sacrifices they were now to refuse to accept a territory which England offered them for nothing, they would not be true to themselves or the future of the country. The future greatness of this Dominion, and its position on the continent, required that from the boundary line of the United States up to the North Pole should be Canadian Territory. His hon. friend from Northumberland was afraid of the expense, but he (Mr. Langevin) said expense or no expense, let us have a territory we could afford to expend a few thousands of dollars to maintain our own on this continent.

Mr. MITCHELL: Say hundreds of thousands or millions.

Mr. LANGEVIN said that when the time came that a large expenditure would be required in that territory, they would have a large revenue from it. There would be a large population there, and the mines and fisheries would be developed, and would be paying large amounts towards the revenue. If hon. gentlemen had come down with the proposal to annex Newfoundland, with the approval of the people of that Island, he would have said "do it." The good results of Confederation were apparent. Our resources were developing. We were becoming a great nation; we were not very numerous yet, but the foundation of a great nation had been laid. Although we might not see all the results of what we were doing, our children would see them; and we wanted to leave to our posterity a country prosperous, great and respected. To do that, it was necessary to complete and extend our boundaries. It was with the greatest pleasure, although it might cost something to the revenue, that he saw these resolutions presented. He hoped they would be passed without delay, and that the proper legislation would be obtained from England.

*Motion agreed to.*

House *resolved* itself into Committee on the Resolutions.

(In the Committee.)

On Resolution 1,

Mr. MACKENZIE said that when the difficulties between Newfoundland and France were under discussion, the Canadian Government had felt it necessary to make a certain representation, when they found that a settlement was to be arrived at without reference to Canada. They were not in a position, absolutely, to demand that reference, but they thought that practically they were. This measure would give them the absolute right to a voice. The Government were aware that there were vast deposits of graphite in a particular quarter of that territory; and, in fact, one of the first things which suggested to them the importance of

having the matter settled, was an application from a party in Philadelphia for a grant of land far north, where the hon. member for Northumberland (Mr. Mitchell) thought everything was absolutely worthless. There might be something visionary in the project of steam communication from York Factory to England. It was true that it was at present really impracticable, but it might not be so later. The mouth of the Nelson River, at York Factory, was nearer Liverpool than New York was; and it was in the very heart of the continent, as far as longitude was concerned. He had been delighted to hear the patriotic remarks as to the duty of Canada in regard to her position in the empire. It was also pressing that we should have a settlement of our northern boundaries; and every consideration, therefore, pointed out the desirability of adopting the course which the Government had adopted.

MR. MILLS said that if our North-West was to be anything in the future, it was absolutely necessary that we should have possession of these territories, and he had, therefore, been surprised to hear the speech of the hon. member for Northumberland. He (Mr. Mills) was one of those who believed that a northern outlet to Europe would yet be formed through the Hudson Bay territory. The distance between Vancouver Island and Liverpool, through York Factory and Hudson Bay, was 2,200 miles less than the distance by any other route; and even supposing that the navigation remained open for only three months in the year, it would still be of great importance to us. Not only were there very important fisheries—salmon fisheries, etc., but there were also the deep sea fisheries.

MR. MITCHELL: Salmon fisheries in the Hudson Bay?

MR. MILLS said, yes; the most extensive in North America. The rivers were filled with salmon on the east coast of Hudson Bay. There were extensive lead mines in that district. Professor Bell said the most extensive he ever saw. There were immense coal deposits on Cumberland Island and Southampton Is-

land. The coal station in connection with the seal fisheries was on Cumberland and Southampton Islands. In fact, it was obvious to any one who would read the papers, that if we did not acquire these territories, the English Government would not take any trouble about the matter; and before Parliament expired he had no doubt they would be in the possession of another people, and the entrance to Hudson Bay, which would be wholly under our control when these territories were acquired, would practically have passed from us. We would have afterwards no right to exclusive control of the fisheries in that bay, the entrance to Canada and some other country. He thought it was of the utmost consequence that all doubt on the subject of our northern boundaries should be removed.

MR. SMITH (Selkirk) said he thought it was of the utmost importance that this territory should be acquired by Canada. He doubted if the expense would amount to £1,000 sterling. By the time more expenditure was required a revenue would be derived from that territory in the way of royalty, or in other mode. They had heard that quite lately a cargo of mica, worth \$120,000, had been found there, and no doubt there were many other valuable minerals. The Minister of the Interior had spoken of the value of the fisheries in that quarter. No doubt whales and seals were very abundant, but he was not aware of the abundance of salmon in the Hudson Bay. He thought, perhaps, Mr. Bell had mistaken the trout for salmon.

MR. MITCHELL said he had waded through the correspondence, and could see no indication that if we did not accept the responsibility attaching to this territory, the British Government would throw it up. No doubt they were anxious to unite their different groups of colonies under one Government. It involved less trouble; and Confederation, as in the case of the British North American Colonies, consolidated and strengthened the whole. He could, however, see nothing to warrant him in believing that England would give up the possession of that country if we did not accept it. The

fact that one application had been made for permission to quarry mica, and another for permission to quarry graphite, was no reason in favour of our acquiring that territory. Before five years were over that territory would be costing us \$2,000,000 a year. Municipal institutions would be introduced for the Government of the Esquimaux, and governors would be sent up there to interpret the laws to those ignorant people who probably, were never able to read a single line of the English language. The hon. gentleman said coal abounded in that region, but coal abounded in Nova Scotia; and he thought the Nova Scotians would not feel pleased at another field being brought into competition with them. As to the prevalence of whales, if the hon. gentleman understood international law, and the habits of these sea animals, he would know that it was open to any one to take whales anywhere outside of the three-mile limit, and they did not often go inside that limit. The hon. gentleman was in error as to salmon. There were no salmon there at all. The Hudson Bay Company had a Department on the east shore of Hudson Bay many years ago, and found it so unprofitable that it was abandoned. There were trout, but neither cod-fish nor salmon in this bay; and he had never read of so large a tract of water which was so unproductive with regard to life-sustaining fish. As to making traffic a success by way of the Bay and York Factory, the proposition was all moonshine. The reasons which the hon. gentleman had advanced for assuming the responsibility of this country were insufficient. The natural reason was without foundation; and the present great responsibilities of the Dominion were such that this step was extremely unadvisable. In the course of ten years, our institutions, which had recently been so outraged, would be solidified, and then when the financial condition of the country would be improved, we might say to England that we would be prepared to assume this responsibility. He wished to put his views on record, and he had the satisfaction of knowing that if great extravagance and financial embarrassment and complications resulted from

this step, he would be free from all responsibility in this regard.

MR. MacKAY (Cape Breton) said that these resolutions met with his approbation. He did not see how the coal fields in these northerly districts were to interfere with the coal interests of Nova Scotia. The hon. gentleman (Mr. Mitchell), was endeavouring to make political capital in opposing these resolutions.

MR. SMITH (Selkirk) said he was not aware that salmon were to be found in any number at all on the eastern coast of Hudson's Bay. The port they had abandoned was situated on the more northern part of Labrador, near the entrance to Hudson's Bay. As to Port York Factory, he was not at all sanguine as to its becoming a centre of trade. The season of navigation there was rather short, varying from three to eight weeks at the outside. Still, apart from this, he recognized the advantage of having this large territory to the north of it added to the Dominion of Canada. He thought that this was a movement in the right direction.

*Resolution agreed to.*

On the 5th resolution.

MR. CAMERON said he would suggest that the hon. the Minister of the Interior should amend his numerous and long Bills which were before the House with reference to the registration system, the registration of titles and the granting of municipal institutions in the North-West Territories, so as to include the North Pole. This would save a good deal of printing hereafter, and then in future Sessions it would not be necessary to pass these long Bills, which were thought necessary before the population in question knew how to use them. He thought the objections of the hon. member for Northumberland could be got over if it was provided that a Government should immediately be established at the North Pole, and the hon. the Minister of the Interior would undertake to appoint himself Governor. He had no doubt that if this was done, the hon. gentleman would withdraw all future opposition.

MR. CARTWRIGHT: Suppose we make the hon. member for Northumberland a co-ordinate authority.

MR. MILLS: I would observe that the application of the hon. gentleman would receive due consideration.

Resolutions *ordered to be reported.*

House *resumed.*

Resolutions *reported, read the first and second time, agreed to, and referred to a Select Committee.*

MR. MILLS, from the Select Committee, reported the draft of an address to Her Majesty, founded on the said resolutions.

Report *adopted, and Address agreed to.*

On motion of Mr. MILLS, a message was ordered to be sent to the Senate, requesting their Honours will unite with this House in the said Address.

#### WATER AND GAS SUPPLY TO THE GOVERNMENT OFFICES AT MONCTON.

RESOLUTION TO RATIFY CONTRACT.

MR. MACKENZIE moved:

“That this House do ratify and approve an agreement entered into between the Government of Canada and the Moncton Gas Light and Water Company, providing for a supply of water and gas for the Government workshops and offices at Moncton, in New Brunswick.

Motion *agreed to.*

#### SUPREME COURT ACT AMENDMENT BILL.—[BILL No. 68.]

(*Mr. Laflamme.*)

THIRD READING.

Bill *considered in Committee of the Whole, amended, reported, read the third time and passed.*

#### TRAFFIC IN INTOXICATING LIQUORS BILL.—[BILL No. 75]

(*Mr. Mackenzie.*)

CONSIDERED IN COMMITTEE.

Order for the House to resolve itself into Committee of the Whole on said Bill, *read.*

MR. MACKENZIE said that last night, on the motion for the second reading of the Bill respecting the traffic

MR. CAMERON.

in intoxicating liquors, he had not had an opportunity of making any remarks in reference to the provisions of the Bill, and in moving that the House do now go into Committee on the Bill, he desired to say a few words upon the measure. It was a Bill which was intended to apply to the whole Dominion. The operation of the Temperance Act of 1864, was applicable only to the two Provinces comprising the late Province of Canada, namely, Ontario and Quebec. Various difficulties had been found in working out the Act of 1864, although it had been attempted in many places, and, in some few municipalities, was in operation at the present time. One of the chief difficulties connected with the enforcement of that Act had been the one of obtaining a vote upon it in the usual way. The measure had been submitted, for instance, to the electors of Toronto, and it took several weeks in determining whether the by-law should be sustained or not by the electors of that city. He would not to-night enter into any exact or careful criticism of the defects of that measure further than to say that it was practically a local Bill, and that there was an amount of dissatisfaction with its operation throughout the country which brought it to the notice of the Government of the Dominion on various occasions and under many circumstances. Deputations from all parts of the country had waited on the Government during the last few years, petitioning them to make such amendments as might be consistent with the principle of prohibition of the sale of intoxicating liquors. He had always felt that while the people had an absolute right to such legislation as would practically prohibit the sale and manufacture of intoxicating liquors, yet it was one of those moral questions which must ultimately be determined by the general voice of the people, by the general sympathies of the population; and that however righteous such an Act might be, however beneficial in its general results to the nation, yet it was one that interfered in a certain manner—in the opinion of some, to a great extent—with the liberties of the people in reference to the trade in, and use of, intoxicating liquors of all kinds.

But a very large proportion of the people of this country—a large majority of them, indeed—believed that the limitation of this traffic was almost essentially necessary for the prosperity of the country. A very large proportion of our people believed that the greatest amount of crime was stimulated by the use of these intoxicating liquors, and that their banishment from general use would be followed by a great improvement in the health and the morals of the people, by a great improvement in everything that ministered to the social, and even to the political welfare of the people. But, in a measure of such vast importance, effecting as it did a sort of social revolution, it was essential that the voice of the people should be strongly and well pronounced in its favour. He had, therefore, on various occasions within the last two or three years, in speaking to those who were instrumental in forwarding the temperance movement, pointed out to them that it was essential that they should use the machinery which they had, in order to manifest, in a practical way, their belief in the statements they made as to the prevalence of public opinion in favour of such a measure. He had said to them that he conceived it was much better to have a stringent license law than any general prohibitory law, until the voice of the people had unmistakably pronounced in favour of a stronger measure—until society and the temperance advocates and their friends showed, by bringing the permissive law they had at their disposal into effect, that they were faithfully and truly representing the wishes of the people in the assertions made respecting the tendency of public opinion. He had been met on these occasions with the statement that it was extremely difficult to get a true expression of public opinion with the law as it stood, and that it could only be partial in any case, as it applied merely to the two Provinces, when they demanded that the law should be extended to the whole Dominion. There was, of course, a question of jurisdiction, as to whether this question rested properly with this Parliament or with the Local Parliaments, and, although a recent decision of the

Supreme Court had some effect in settling this question, it could scarcely be said to have been fully determined by that decision. The Government, however, felt that, in a matter of so much importance, when it was evident that the eyes of the country were looking to this Government and this Parliament for some action, it was clear to them that it was desirable to take some step at the present time; and this Bill had been prepared with a view of having an effective permissive measure placed in the hands of the people of all the Provinces, with its machinery adapted to a quick and prompt response to public opinion, where it should declare itself by a majority in favour of this measure. It had been said that during the few contests that had occurred in several counties of Ontario during the last year, and notably in one or two counties in Quebec, it was doubtful whether public opinion had reached the stage when even such a Bill as this might fairly be committed to their hands with a view of putting it in operation. And the fact that the law established, under the Temperance Act of 1864, in two or three of the municipalities had since been repealed was pointed to as an evidence that the carrying of the by-law in the first instance, was only a proof of the excitement existing for a moment and soon passing away. He did not believe that himself, to the extent, at all events, that was asserted by some. He had no doubt whatever, he had never had any doubt, but that moral reforms of this kind must necessarily proceed as a general rule by slow steps. But no one could doubt who had felt the public pulse, who had read the public newspapers, who had followed, in short, the general course of the agitation in favour of a Temperance Bill—no one, could have failed to observe with gratification that there had been a vast progress in public opinion in this matter during the last few years. The Government had endeavoured in this Bill, by repeating some of the sections of the Temperance Act of 1864 of a general character, and providing in it the means by which the public opinion of the country could be readily ascertained to place at the disposal of

the temperance community—at the disposal of the general public he should perhaps rather say—the means of testing the prevalence of the view in the existence of which he had just expressed his faith. The provisions of the former Act, which had been prepared by a former gentleman who now graced the Judicial Bench of Lower Canada, were generally of a very stringent character in relation to the carrying out of the law after it was enacted; but there had been serious difficulties encountered, as he had mentioned in the earlier part of his remarks, in obtaining the sanction of the people to the law. It was now provided under this Bill that the measure should only apply to counties and cities—cities being considered as counties in this as in the municipal Acts. The Dunkin Act was made applicable to townships and the smaller municipalities—to every municipality in fact, whether village, township, town, or city. In the present Bill the by-law must be passed to cover a whole county—not an electoral division—but a county which perhaps might include several electoral divisions. The reason for this was obvious. It was quite clear, from the operation of the Act of 1864 that it was practically useless to pass a by-law in a township perhaps ten miles square, when all the townships around that particular one were without the operation of the law—and he had been informed that in some of the townships in which the Dunkin Act was carried, and where there was, of course, an utter absence of all licensing, the sale of intoxicating liquors had, in some instances, reached a higher ratio than under the license system. That was quite natural; but when the law was made applicable over a larger area, and covered an entire county, with an efficient inspection, with efficient means of suppressing the sale of the liquor and punishing those who engaged in the traffic illegally, he ventured to hope that the law might fairly be carried into operation. It was provided, however, in order to ensure that there would be no trifling with the public in endeavouring to put the law into operation, that until 25 per cent. of the entire number of electors in any county should petition the Governor in Coun-

cil, there should be no proclamation issued for having a vote taken in order to ascertain whether the Bill should be carried out. But if one-fourth of the electors made such a petition, then it should be the duty of the Government to have a proclamation issued naming the time when a poll would be taken, appointing a returning-officer, and committing to him all the machinery necessary to carry the law into effect as to the taking of the votes. If a majority of those voting should decide in favour of the application of the law to the country, then a proclamation should issue within 90 days after the time when the then existing laws expired. It was also provided in the Bill that if the by-law were once carried it should not be repealed within three years; but that at any time after that period if one-fourth of the electors should petition for its repeal the same process would be gone through as when the law was enacted in the first place. The hon. gentleman then described the provisions of the Bill respecting the taking of votes, the repression of bribery and other corrupt practices, remarking that they were substantially those of the General Election Act. After stating *seriatim* a number of other clauses of the Bill, he said that one part of the measure provided for the kind of prohibition and the tariff in intoxicating liquors which would be enforced under the Bill when it became law. The intention was absolutely to prohibit the sale of intoxicating liquors in any county or city in which the by-law might be carried, except in the case of wholesale dealers or manufacturers of liquors within the municipality, who might sell in quantities not less than ten gallons for exportation from that particular municipality to any other part of the Province or Dominion or out of it. But he should not be at liberty to sell within the municipality any portion of the liquor so held or manufactured. The 99th section provided very fully the extent to which this prohibition should be carried as regarded the nature of the liquors which might be sold, and it might be described generally as providing that no liquor of any kind whatever which contained either wholly or in part

intoxicating qualities should be allowed to be sold under the law. It was tolerably evident from the practice and the experience observed in other countries that it would be impossible to carry out a prohibitory liquor law, even in a permissible shape as this was proposed to be, unless there was a total prohibition of all liquors which might colourably be denominated intoxicating liquors. Some people pointed out, no doubt, that certain kinds of liquor were comparatively innocuous, and probably they were so; but they could only serve as a disguise under which to shield and sell the baser kinds of intoxicating liquors, which would be sold under cover of the names of less offensive liquors. It had therefore been deemed necessary to make a total prohibition except as to liquors required for medicinal use and sacramental purposes, and special provisions were made for such exceptions by the licensing of a certain number of individuals, according to the population, to sell for such special purposes. After referring briefly to other clauses of the Bill, he said the Bill was one which the hon. gentlemen were aware had been introduced in the Senate, and had received from that body an early and a very thorough discussion; and he ventured to hope, from a careful perusal of the measure since it had been amended by that body, this House would not have much difficulty in agreeing to the Bill as it now stood. He trusted that every member of the House would approach the discussion of the subject in Committee with a single and a sincere desire to promote the object which the promoters of the Bill had in view. It was a matter of serious import to this country—it was one of the greatest possible importance in its social and political aspects; and there could be no doubt whatever, apart from questions of taxation and other questions which arose, that it was one of the greatest possible importance to this country that we should be able in some way or other to check the torrent of intoxication which for many years had been increasing and pouring in an unlimited stream over the land. It might have been observed by those who had given some attention to statistics in connec-

tion with this question, that there had been a steady increase in the consumption of strong intoxicating liquors up, at least, to last year. He had not observed the increase within the last year, but he judged from the returns of excise revenue that there must have been, to a greater or less extent, a reduction. A part of this might, however, fairly be attributed to the comparative poverty of certain classes of our population during the last few years. Since the commercial disasters that had passed over the country, a part of our population had not been so well paid or so fully employed as formerly, these being generally leaseholders or small possessors of property, and there could be no doubt that a reduction in the domestic expenditures of such persons ought to be sought for in this item rather than in other items. He did not, therefore, venture to hope that there had been an increase in the number of abstainers from the use of intoxicating liquors, but the extent of the reduction which the revenue showed, although there would perhaps be an increased consumption in more prosperous times, was assigned undoubtedly to some extent, to the effect that the temperance agitation had produced throughout the country. No one, he thought, could doubt that, and any one who had observed the course of proceedings at great public gatherings must have been satisfied, that the temperance agitation had already resulted, even without the enactment of any law, in materially producing the desire to abstain from the excessive use of stimulants in the shape of spirits. It was the duty of every one who loved his country, and who wished well to all our institutions and to our churches, to endeavour to aid those who had been devoting their voluntary efforts to the accomplishment of this end, and he was sure this House, in common with the other branch of the Legislature, would cordially respond to the invitation which the Government had given by the introduction of this Bill, in aiding to the extent of their power in repressing a traffic which had produced so much disaster of every kind, and which threatened, if left uncontrolled, to exercise a still more disas-

trous and permanent evil influence on the destinies of this country.

MR. ROSS (West Middlesex) said that before leaving the Chair, he wished to make a remark or two, and he would promise the House that his remarks would be very brief at this hour of the evening and period of the Session. Had this Bill been introduced at an earlier stage, it would have given him very great pleasure to have reviewed, at some length, the progress the temperance sentiment had made in the Dominion of Canada since the first beginning of their agitation in 1873. However, the Session had so far progressed and hon. members were, no doubt, so anxious to return to their homes, that it would be exceedingly out of place for him, he presumed, to occupy much of the time of the House. He would just content himself, however, with saying that, perhaps, to no other member of the House did it afford more pleasure than to himself to find the Government introducing a Bill containing so many provisions to which he could give his most cordial assent, as to the Bill which had been introduced by the hon. the First Minister. The temperance men in the Dominion of Canada had long been agitating for some efficient legislative restriction upon the liquor traffic. The license system which had prevailed in this country ever since we had municipal institutions, had, in their opinion, not been effective in restricting, to a sufficient degree, the evils resulting from that traffic, and it was felt by all of them—and he was now speaking, perhaps, more particularly for the temperance men—that more effective legislation than any previously offered them, was required to restrain the injurious effects of this traffic, and to diminish, if such were possible, the baneful effects of intemperance. Such legislation, they thought, had, to certain extent, been secured by the passage of the Temperance Act of 1864. He was not now going to speak of the good or ill points of that Act, or to criticise its provisions, either in whole or in detail.

MR. BUNSTER: What are they?

MR. MACKENZIE.

MR. ROSS: It did not apply to British Columbia, he was sorry to say. He was just going to say that, as an objective point for the agitation connected with this question, he considered that the Temperance Act of 1864, carried through the House by Judge Dunkin, was, in itself, a very valuable concession to the temperance men. It gave them, at least, the assurance that the Parliament of Canada was amenable, not only to public opinion on this point, but was prepared to accept the reasonable demands, and to consider any reasonable demands made on it by the temperance men with regard to the restriction to be imposed on this traffic. It further gave them, at least, this other advantage that they had placed on the Statute Book an acknowledgement that Parliament was prepared and was willing to deal, from a legal standpoint, with this evil with which they were grappling from a moral standpoint, and that whatever strength the temperance sentiment received in the country from the agitation of temperance men, would be guaranteed to them, so far as the Legislature could guarantee it, by Acts placed on the Statute-book. These were some of the advantages of the Temperance Act of 1874; but good as that law was in many respects, as a means for stemming, as far as it could, the evils of intemperance, they felt that something more could be done. In the first place, the provisions of that Act were limited in their application. They only applied to the Provinces of Ontario and Quebec. Temperance men having that national sentiment, in which they trusted every Canadian shared, and anxious, as far as they could, to cover the whole country with the broad ægis of temperance legislation, sought for a wider and more comprehensive measure. They said, not only are these restrictions good so far as the Provinces of Ontario and Quebec are concerned, but they would be equally beneficial if applied to the whole Dominion. The temperance men from Prince Edward Island and the Maritime Provinces petitioned the House to that effect. They also did so from Manitoba and British Columbia. Ontario was almost unani-



mous in its demands for more extended restrictions on the liquor traffic. These demands had received, he was happy to say—should he say he was pleased and proud to say—the consideration of the Government; and they had now in their possession a Bill co-extensive in its application with the whole of the Dominion, and embodying, in almost every particular, the matured views of the leading temperance men of this country. This Bill had received, at the hands of the Senate, the most careful consideration. Hon. gentlemen on both sides of politics, had given it, in many of its most important principles, their most cordial support. Temperance men on both sides of politics, outside of the House, had given this Bill their most cordial support, and he trusted that in its passage through this House they would be prepared, from both sides, to give it that cordial support which had been asked for it by the hon. the First Minister of the House in its introduction. He had no doubt that, regarding some of the details of the Bill, there might, and would be, legitimate criticism, but in regard to the main principles, and the method of taking the vote, and the general prohibitory clauses of the Bill, the penalty it imposed, and above all, with regard to the purpose which this Bill had in view, he thought that there was not an hon. gentleman on the floor of the House who could not cordially and heartily approve of its design. We were making strong efforts as a country to build up all our institutions; we were expending largely, year after year, money for the encouragement of immigration, for widening our canals, for the construction of our railroads, and for the increase of our educational facilities; and with all this, if we neglected that moral element, without which any nation could not be prosperous, all our other expenditures and efforts would be comparatively vain; and he trusted that in the broad sense of the word, with a view to the advancement of the moral interests of the country and with a view to securing, for our young men, the protection which the law could secure for them, and which the law was calculated to secure for them, and which they had a right to expect from

the protection of the law, that this Bill would receive the cordial assent of the House, and that this year, which we were entering on, an era of prosperity as he trusted, we would have to add to our financial progress this one great evidence that the Dominion of Canada was prepared to assert in the most unmistakable terms that it approved of every measure which had for its advancement the moral prosperity of the country and the protection of our people against the inroads of intemperance and the traffic in intoxicating liquors.

MR. BUNSTER said that this farce was perpetrated on the House year after year. Last Session the hon. member for Lisgar had introduced a temperance resolution against which he as well as the Government voted; and why the time of the House should now be taken up with a Bill, and a voluminous Bill, which neither the Government nor the country wanted, and which the Government had seemed to ignore, he could not understand. The Government had stated that it could not continue if they had not the benefit of the Excise duty in the several departments; and still the Canadian Pacific Railway propositions were not brought down. The hon. member for West Middlesex said that this Bill, at this late period of the Session, might have some consideration from the House though the Canadian Pacific Railway discussion was that day promised them. This was monstrous. He was amazed to see it. If this Bill passed to-morrow, it would be a dead letter throughout the country. It could not be passed anywhere except in a few hide-bound counties.

SIR JOHN A. MACDONALD said he thought two years would be a better period than three. After two years' experience of the Bill, people would have an opportunity of making up their minds whether to continue it or not.

MR. LANGEVIN said he was afraid this Bill would not work; it was too cumbrous. It required all the machinery and cost of a parliamentary election to put it in operation.

MR. DYMOND said he believed the Bill met the views of the temperance

men, and he trusted it would be adopted.

MR. FORBES said, according to his own feelings, he would much prefer that the Bill should go a great deal further. It seemed to be the general wish and opinion of those gentlemen who were assumed to approve of this measure, that it was impossible, in the present state of affairs, to carry out a measure which would go as far as many people wished. The people of Province of Nova Scotia were better educated, as far as the question of temperance was concerned, than those of almost any other Province. The hon. the leader of the Opposition was in favour of a stringent license law. There was not a more stringent license law in operation anywhere than in Nova Scotia, and there it was found to be inoperative. Under these considerations, it was considered by the temperance body that the people of Nova Scotia would be willing to accept a prohibitory measure; but, under the existing circumstances of the country, the other Provinces not having taken the same interest, or not being as well educated in temperance as Nova Scotia, it would be impossible to carry a law throughout the whole country which would be acceptable to that Province. He (Mr. Forbes) had sent copies of the measure to the different temperance organizations in his county, and not having heard from them, presumed they accepted it; if not, no doubt, they would have communicated with him. A general consultation had been held of the leading temperance people from the surrounding districts, and their views on the question were laid before the committee, who concluded that nothing better could be produced than the Bill now before the House. Furthermore, it carried out the intentions of the commission on the temperance convention held in Montreal some time ago, and which embraced gentlemen from every part of the Dominion, except Manitoba and British Columbia, at which convention it was decided that an Act of this kind was the only one which could be enforced in the Dominion, in the present state of temperance education. He knew this measure would not be looked on as

favourably in Nova Scotia as a more stringent one would, for he and they believed in prohibition; but it was one nail in the coffin, and by following this up with others of a more stringent character, we might hope to bind the giant and eventually kill him.

MR. FLESHER said this Bill lessened some of the difficulties under the Dunkin Act. There should be a definition as to what constituted intoxicating liquors, that no doubt might exist. The fact of twenty-five per cent. of the electors being required to demand the Act before a vote could be taken, would deter parties from going into the matter, unless they were satisfied they had public sentiment with them.

MR. CAMERON said the question to be considered was whether the principle of the Bill was right or wrong; whether the bare majority of the people of any county had the absolute right to prohibit the use of intoxicating liquors by the minority. He could not argue with that principle, but he knew it would be useless to attempt to resist a Bill of this kind on the second reading. The temperance organization wielded so much influence in so many constituencies, that hon. members of this House were not prepared to vote according to their deliberate convictions. If that were the true construction of this Bill, the true opinion as to its probable operation, it ought not to be passed. But it would be perfectly useless in this House to propose any amendment. All that could be done was to guard against any unreasonable or improper proposal in matters of detail. He yielded to the opinion of the hon. member for West Middlesex (Mr. Ross) as to the strong desire in the country to put down the evils of intemperance. He agreed with him that if that were the object of the Bill, it was a good and useful one. If he thought this Bill or the Dunkin Bill would attain that object, he would be prepared to yield the principle which he held as to the minority being controlled by a majority, in consequence of the good which would result from the restriction of the evils of intemperance. He did not believe that object would be attained, and his view was therefore opposed to

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the Bill. He did not propose to move the rejection of the measure *in toto*, but he believed he would be wanting in his duty if he did not give utterance to the principles he held. A good many members of this House were afraid to express their candid opinion on this point. The power of the temperance organization was very great, and their strength arose from the good object which they had in view, though he did not believe that the means they were taking would result in the attainment of that object. It was also a question of discussion whether it was within the constitutional functions of this Parliament to pass a Bill of this kind, at all events in regard to many of its details. The question had been before the Supreme Court, but had not been disposed of there to any material degree; and a very great doubt would arise as to the constitutional power of this Parliament, and whether it was not within the power of the Local Legislatures to pass upon some of those questions. He had had to discuss this matter before the Courts. The Ontario Legislature had been trying to amend the Dunkin Act, and the Courts had in some cases pronounced their amendments within, and in others beyond their powers. It was a matter which required very grave consideration. It would be for the Courts hereafter to say whether it was within the functions of this House or not. Another point in which it was open to very grave objection in a constitutional point of view, was that it virtually forfeited and sacrificed and destroyed a large business interest in which money had been invested on the faith of the existing legislation, namely, the brewing and the distillery interests, while it contained no provision whatever for compensation. He ventured to say that if this were attempted in regard to any other article except liquor, it would be scouted as an outrage. That, however, might be remedied by some amendments in Committee.

Mr. GOUDGE said the right hon. member for Kingston had stated his preference for a rigid license law. In the Province of Nova Scotia they had a stringent license law; but although

that was the case, yet, in three-fourths of the counties of that Province, they had prohibition in consequence of the Sessions and the grand juries having refused to grant licenses. There was still, he regretted to say, an amount of liquor drunk in that Province, but to show that the people generally respected the law he would call attention to the returns of the Inland Revenue Department. In the Province of Nova Scotia the average per head of liquor drunk from 1868 to 1877 was 1.74 gallons; in the Province of New Brunswick, it was 1.908 gallons; in the Province of Quebec, 3.849 gallons; in the Province of Ontario, 4.353 gallons; and in the Province of British Columbia, 4.905 gallons; showing distinctly that where a prohibitory law, as it practically was in Nova Scotia, existed, the sale of liquor was very materially lessened. The Act now proposed did not go as far as they would desire, but they would accept it as a first instalment, and the whole Province of Nova Scotia was looking to this Parliament for the passage of such an Act. It was a long step in advance, and they might in the future so amend it as to make it a very effective Bill. It would very materially assist in deciding the question of jurisdiction, and that would be a great advantage.

Mr. PLUMB said he fancied no one would underrate the evils of intemperance; but there was, and would be, a very marked difference in the views of gentlemen who were equally sincere as to the manner in which intemperance should be dealt with. He had no doubt that the gentleman who introduced this Bill had done so in all sincerity. It was a foregone conclusion that it would be passed, but it would be the duty of hon. gentlemen to scrutinise it carefully and not to accept it simply because it had been passed by the other side of the Legislature. He had always been of opinion that a stringent license law rigidly enforced, would be the true means of meeting this evil. He had always been of opinion, and in that opinion he was not alone, that there were certain interests which would be sacrificed by legislation of this kind,

which should not be sacrificed in this way. The hon. member for Hants said Nova Scotia was a paradise of temperance. He (Mr. Plumb) should like to know if the statistics which he had brought forward showing that only 1½ gallons *per capita* was drunk in that Province had made it a model Eden, and whether crime was less rife there, so that they might compare what was claimed by gentlemen who were in favour of such acts as these? He should like to know whether there had been a diminution of crime in the proportion of at least 3 to 1 as compared with the benighted Province of Ontario, of which he was one of the representatives. In the State of Maine very deceptive statements had been made. In the city of Bangor, before the passage of the Prohibition Law, there had been a much larger population than now, there was less taxation and fewer arrests for drunkenness than now. A gentleman who, until lately, had been a sincere advocate for legislation of this kind, said that the drunkenness there had largely increased, though it was more secret.

MR. ROSS (West Middlesex): Who says that?

MR. PLUMB: The Mayor of Bangor. On behalf of all people who were not in the habit of using stimulating beverages to excess, he objected that it was claimed in a most pharisaical way by gentlemen advocating prohibitory measures, that they were temperance men. Any one who used stimulating beverages might have just as good a right to call himself a temperance man. There were many gentlemen on both sides of this House who used those beverages whom none would dare to call intemperate men, and it was a misnomer to call prohibitionists temperance men. In endeavouring by the force of a majority to compel the minority to adopt their views, they were intemperate. This Bill was a Government measure. It would be passed as such, but the Opposition did not propose to transfer the legislation or to do anything which would prevent its having a trial. They all agreed that there was a great deal to be remedied. They only differed as to the means. He believed the abuse of

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intoxicating liquors could only be remedied by the limitation of the sale. The question as to how this would effect the revenue, was of course, in the hands of the Government. In the State of New York in 1855, a Bill, as stringent in its provision as this one, was passed in the State of New York by an overwhelming majority. The Governor himself had been elected on that issue. The Bill was to take effect in July. It was violated the very night it came into operation in almost every town and village and cross road in the State. It was a dead letter from the first, and was repealed the following year.

The House then *resolved* itself into Committee of the Whole on the said Bill.

(In the Committee.)

MR. SPEAKER: I feel it my duty, as one of the representatives of the people, to say a few words on this Bill. I protest most solemnly against legislation of this kind. I regard it as of the most pernicious and injurious character that can possibly be conceived, and also of the most tyrannical character. It is a declaration that it is the right of the majority in any portion of this Dominion to dictate to the minority of the people what they shall eat and what they shall drink, and what opinions they shall profess, or even what they shall wear. Tyranny more gross than this it is impossible for man to conceive, and, therefore, do I most solemnly protest against this Bill and against the principle upon which it is based. More than that, I not only protest against the Bill, but I will oppose it as far as my single voice can oppose it, because I believe it will, if not absolutely inoperative, be productive of results of the worst kind, and evils of the grossest character. I speak from experience. In our own little Province, more than twenty years ago, a measure of this kind was introduced into our Legislature, but going much further than this Bill; it was a system of prohibition of the manufacture and sale, and consequently of the use of all alcoholic liquors. It passed very much as I presume this Bill will

pass. There was an agitation out of doors. There was a temperance organization formed out of doors, powerful, because it worked systematically at all elections, and made itself felt and feared by every representative of the people in the House of Assembly. And yet that organization never did include more than one-fifth of the male adult population of the Province. Here, as there, there is not more than one-fifth of the male population of the Dominion in any organization working for a law of this kind. If we pass this law, we must pass it not at the desire of a majority of the people, but in obedience to the dictation of an organization working outside and in this House, and through this House, unjustly to the best interests of the population. The hon. member for Niagara (Mr. Plumb) has stated the result of the passage of such a law in the State of New York. It was the same in our Province; the measure was passed, and the very moment it went into operation, the very day it went into operation, in every part of New Brunswick, in places where the habit of drinking had almost been forgotten, that law was violated. Instead of establishing in our little Province a state of harmony, peace, and order, it brought with it riot, tumult, and disorder, and bitter feelings of the most deplorable character. That state of things continued from day to day, until the Governor of the Province, finding that a state of disorder had arisen from it, called upon the Government of the day either to enforce the law, and restore peace and order, or to call the Legislature together for its repeal. When the Government refused to act upon that advice, he dismissed them. The Legislature was dissolved, new elections were held, and I think only two gentlemen, of all those who were returned, went back to that House not pledged to vote for the repeal of the liquor law. Now, we had that experience there. I, at that time, opposed the passing of the Bill. I was not a member of the Legislature, but whatever influence I possessed I used to prevent the passage of the Bill. I foretold exactly the consequences that would flow from the passage of that Bill. As I predicted those conse-

quences then, I predict now, Mr. Chairman, that if this Bill pass, and if it be not inoperative in nine-tenths of this Dominion, it will lead again to an amount of riot, tumult, and confusion which this Parliament must suffer, and from which I tell the Government, at this day, they will suffer.

MR. MACKENZIE said the hon. member for Gloucester had said this measure might be characterized an act of tyranny, because it enabled a majority to decide what a minority should eat and drink; it did not say anything about eating nor about drinking, but simply that certain liquors, which were believed to be injurious, should be prevented from being sold. The law which enabled a community to do that was just of the same kind as the law which permitted a person, if a house was on fire, to pull down another next it in order to prevent the fire from spreading in the neighbourhood. His mind had always been that the community had a perfect right to protect itself by a law of this kind. On the other hand, he quite admitted that there was almost an absolute necessity that there should be a strong, if not almost universal opinion in favour of the enactment of such a measure as this, which even apparently restricted the liberties and the rights of any portion of the community on general grounds, affecting the whole community, and for this reason he would never favour the enactment of a prohibitory law which was not subjected to the test of the vote of the people, until he was satisfied that there was an overwhelming majority of the whole country in favour of such a measure. On the other hand, he had, no doubt whatever, but what an entire prohibitory law might, could and should be passed when there was a perfectly overwhelming public opinion in its favour. The hon. member for Gloucester would observe that a stringent license law, meant a law to restrict the sale and abridge the right to buy and sell as any person pleased, quite as much as the other. It was one of degree and not of mind; and the same argument that was used against a permissive prohibitory law, might he used with the same effect against a stringent

or any license law, and to use the hon. gentleman's argument why should they compel a person to pay a license of \$100 to sell certain articles of drink, when they did not impose any license for the sale of a certain quantity of bread or meat. It was upon the ground that the sale of such articles involved the happiness and peace and prosperity of the community. It was because the sale of these articles was believed to produce a state of society which caused the innocent to suffer for the crimes of the guilty, and because the excessive use, at all events, of intoxicating liquors was an evil which extended to every member of the community in its results. These were the reasons why there was any interference in the shape of a license law, and it was because the community believed that the license law was ineffectual in suppressing the dangers and evils complained of that a step further was advocated as necessary in the general interests of society. The hon. member for Victoria had ventured, on very strong assertions, and on the statement that very few members save himself, and, perhaps, none at all, were sincere in their expression of their views in this matter, and he alone had had the manliness to stand up and express his true opinions. It was scarcely, he thought, creditable to the hon. gentleman to make that statement, and scarcely courteous to the House to affirm that he alone was the only man in the House who gave real expression to his own opinions. It was not necessary at all that every member of the House should be satisfied that this measure was one which would be effectual in order to advocate a trial of it, at all events, for a time. Even gentlemen who had spoken without exception had acknowledged the evils which resulted from the excessive use of intoxicating liquors.

**MR. BUNSTER:** What are they?

**MR. MACKENZIE** said he thought that the hon. member for Vancouver need hardly ask what they were. Whether this measure would be effectual in restoring another state of matters in the country or not, he admitted, might be questioned. It was, however, an experiment which might

**MR. MACKENZIE.**

fairly be tried, and which the general sense of the community seemed to demand should be tried; and while he was by no means satisfied that the country at present would approve generally of a complete national prohibitory law, he would resist any attempt to legislate in that direction; but that there could be nothing more fair than to afford an opportunity, by a permissive Bill, to the people, to manage their own affairs in this particular measure; and it was in that sense, and in this spirit, that the Government had introduced this Act, and, certainly, not with the idea of trampling upon any person's rights, or doing anything which would be injurious to the general interests of society, or to individuals. It was quite time that the existence of a certain class would be more or less affected by this law; but the interests of all classes were affected, more or less, by all their legislation. This was inevitable, and all they could do was to consult the experience history of this country, and of other countries, and to endeavour to do that which would produce the greatest possible benefit, or do the least possible harm.

**MR. SPEAKER** said he had no intention of arguing this question at any great length, and, he must say, he thought that the argument used by the hon. the First Minister, to prove that the House would be justified in an act of this kind, was rather fallacious. A license, it was true, was given to authorise the sale of spirituous liquors, but that was a mere matter of revenue.

**AN HON MEMBER:** No.

**MR. SPEAKER:** Entirely. Restriction was another thing. It was found desirable to restrict the sale of liquors, from the simple fact that the excessive use was in itself a crime. But, if the mere use of them was a crime, then they would be justified in prohibiting the manufacture and sale and use of these drinks. Very few, indeed, said that the mere touching of a glass of wine was an offence against morality. He did not think that the hon. the Premier took this ground. He did not know that any hon. member of the House did so; and this was really the only ground on which a prohibitory

liquor law could be justified. If the mere use of alcoholic drinks was in itself an offence against morality, and the law of the Almighty, or if the interests of society were at stake in the matter, it might be reason for absolute prohibition, but the license laws proceeded on the basis that the use of alcoholic liquors as a beverage, and, in reason and moderation, was not an offence; and that in order to prevent abuse it was necessary to restrict and regulate the sale, all license laws had this effect and this effect only. The imposition of a fee was simply a mode of collecting additional revenue from the use of an article that all agreed should bear as much taxation as possible.

MR. MILLS said he thought that the fallacy rather lay in the line of argument adopted by the hon. member for Gloucester, than the hon. the First Minister. If the view of the former were sound they ought not to have any law prohibiting the sale of intoxicating liquors within two miles of any public work. This was certainly interference with the liberty of the subjects, as this Bill would occasion when given effect to, and yet it was not opposed to the theory that the use of intoxicating liquors to any extent at all was a sin. Then they had the law prohibiting the sale of liquors to Indians, which was the law of old Canada, and in force, he thought, in every part of the Dominion. So far as the moral feature of the question was concerned he supposed that it was no greater sin for an Indian to drink a glass of whiskey than for a white man or any other member of the community. It was not based upon the theory of its being sinful to drink in the case of the Indian. This was police legislation designed for the general well-being of the community; and also the use of any particular article served to disturb society and produce disorder and misery and suffering on the part of any portion of the population, and increased the burdens of the population which was sober and industrious, he thought that the sober and industrious had some rights as well as the others. The carrying of offensive weapons was not wrong in itself, but they knew the use to

which these arms were sometimes put. When they looked about the community and considered the large amount of taxation which was imposed to meet the wants of a large portion of the population that were in a somewhat destitute condition, when they saw families reduced to beggary, in consequence of the misconduct of the heads of these families, and when they saw the community at large called upon to support them, and contribute, by taxation upon property, to relieve their wants, the community which was held morally responsible for this condition of things, and called upon to contribute from the products of their industry to support those who ought to have been provided for by others, had a right to interfere. Where responsibility began, right also began. They were commensurate, in this matter, with each other. There was one feature in which no analogy existed between this law and the one that was passed in New Brunswick. The latter was absolute, and public opinion did not sustain it; but this was a permissive Bill. It was left with the community everywhere to support it, if they thought proper. No step had been taken against the Dunkin Act, because it was a permissive measure, and adapted itself to public opinion. Nevertheless, that law was defective, and they now proposed a better and more matured Bill, from which were eliminated the defects which experience had pointed out as existing in the Dunkin Act. He did not see that any person's liberties were interfered with by this Bill. Our whole law and the common law of England proceeded on the principle that such a right did not exist; the whole theory of the law was that no one had the right to sell intoxicating liquors.

AN HON. MEMBER: No.

MR. MILLS: Yes. The law said that one person out of 250 of the population could sell, but denied this right to the other 249. People, however, might drink as much as they pleased if they could get it. There was no reason why this one should not be placed on the same footing with the other 249. A prohibitory liquor law would not fill prisons with criminals,

or poorhouses with orphans, or asylums with lunatics, or do any of these things; and those who used their voices against the liquor traffic did so in consequence of the mischief it occasioned, and because it interfered with the means of livelihood in certain cases, resulting in nothing but mischief to the community. He heard no one say that prohibition was a bad thing. The hon. member for Gloucester said this Bill would interfere with individual rights, and hon. members who opposed it stated that it was not practical, would be inoperative, and if tried would fail. Very well; let it be tried, and if it failed the community would be satisfied. This measure would merely enable the people, if they chose, to protect themselves against the mischief which the liquor traffic had occasioned.

MR. MITCHELL said that he did not agree with the statement of the hon. member for Gloucester, or in the entirety with the statement of the hon. members of the Government who had spoken, but he would support and vote for this Bill, not because he believed it would effect all that its promoters and advisers claimed, but because a large and respectable body of people in every portion of the Dominion—and he spoke more particularly with reference to his county and his Province—entertained a deep conviction that a Bill of this character was necessary for the security of the morals and habits of our young men, and our young women, too, he presumed. He did not believe that it would accomplish what the people desired. A Bill of a similar nature was passed in New Brunswick, he thought, in 1856, but it was not in operation long enough to enable the people to judge of its merits. He believed that only one week after the Bill was passed, His Excellency the Governor called upon the Government to recall the Legislature and take into consideration the repeal of this measure. He did not agree with Mr. Speaker that the repeal of this legislation was caused by the tumults, riots and disturbances that were created by the operation of this Bill. It was scarcely then got into operation; but

MR. MILLS.

he believed that a plot existed to unseat the Government, and that this was the object of this attempt. The Temperance Bill was made the pretext by which persons then in opposition were enabled to carry out their scheme of unseating the Government of which his hon. friend (Sir Albert J. Smith) was a member. He did not approve of that Bill; and if he had been in the Legislature he would have voted against it; and when the appeal was made to the country, he had the honour of being returned for the county which he now represented. A large proportion of the people in his county, and he believed in his Province, had a deep-seated conviction that such a law was necessary to check the growing evils that arose out of the use of drink. He was not a prohibitionist himself. He would not to-day vote for an absolute prohibitory law, but this measure gave to the people an opportunity to test among themselves whether a majority or not was in favour of putting certain restrictions on the sale and use of liquor; and more particularly on its sale. While he thought that some hardships might be inflicted in carrying out the law, and that some people who indulged to a moderate extent in the use of spirituous liquors, might have some difficulty in doing so under it, nevertheless, he was of opinion that where the large majority of the people in any community desired to put an end to what they considered a positive evil, the right to have an opportunity of testing the efficacy of a law in the way now proposed by the passage of this Bill. Mr. Speaker had stated, he believed, that a very great deal of injustice and turmoil and heart-burning would result from the carrying of this measure into effect; but he (Mr. Mitchell) did not fear this. If it were an absolute prohibitory law, and people thought that their rights were infringed upon by it, and if a majority, perhaps, were against it, or if, as in the case of the New Brunswick Bill, such verdict was obtained without consulting the country, it would be a different matter, but here opportunity was given to them of going to the polls and ascertaining on a fair test the sentiment of the community. He did not think the people could fairly complain of any hardship



incurred in carrying it out. At all events it was only reasonable and just to afford to the people an opportunity in this respect in order to put an end to the agitation which had grown up in the country with relation to this question, and the only way to do so was to test this Bill. If successful it would be a positive benefit to the community, and if a failure it would be the means, at all events, of terminating the agitation which was now rife in almost every part of the Dominion, and, therefore, on these grounds he intended to support the Bill. At the same time he must frankly state that he did not think it would accomplish all its supporters believed it would accomplish, although he trusted that this might be the result.

MR. BUNSTER said he had asked the hon. the Premier what he meant, and the hon. gentleman had given him an evasive answer, which did not become the hon. gentleman.

MR. MACKENZIE: Well, I will tell the hon. gentleman what I meant and said. It was that the hon. gentleman ought to know from his own experience in the world what the evils were. I said nothing more and meant nothing more. The hon. gentleman, no doubt, has seen the effects of the excessive use of intoxicating liquors; and should desire or ought to desire, to remove these evils if he could do so without doing any harm to any parties.

MR. BUNSTER said that the explanation so far was so good. He did not intend to allow that statement to go unchallenged. One of the ablest judges in Canada had said that there was not nearly so much crime committed by men who took a glass of liquor once in a while as by the scheming cold-blooded, cold-water and cold hearted, and calculating persons, who carefully laid their plots and plans. They all knew that the Bill was unworthy of their consideration. An hon. and high-minded member, the hon. member for Gloucester, had denounced this measure, three or four years ago, with regard to a similar temperance humbug. The Speaker had placed him in the Chair in Committee, thus closing his mouth on the subject. He had since

then entertained hard feelings against Mr. Speaker for that trick, but as the hon. gentleman had that evening acted in a straight-forward, honorable and impartial way, he begged to apologize to the hon. gentleman who, he hoped, would move a three months' hoist to this measure. He would be only too glad to second such a motion.

MR. MACKAY (Cape Breton) said he approved of the general principle of the Bill. It was wise that the majority of the different districts should have an opportunity of passing an opinion as to whether they would prohibit the sale of intoxicating liquors or not. But the Government should go further and take to itself the whole control of the traffic in intoxicating liquors, and make all the regulations necessary either for prohibiting the sale or granting licenses.

On the 77th clause,

MR. BUNSTER moved, in amendment, that the word "drink" be struck out, and replaced by the words "spirituous liquors," as the former might include tea, coffee, or other such refreshment.

Amendment *negatived*.

MR. MACKAY (Cape Breton) said that any person who should give to any one a glass of wine in his house might be committed for six months and fined under this measure.

MR. MACKENZIE: That is precisely the language of the Dominion Election Law.

MR. MACKAY: Is that the intention of the Act?

MR. MACKENZIE: Yes.

Clause *agreed to*.

On clause 124,

SIR JOHN A. MACDONALD said that if this by-law was adopted, all the expenses of this polling would have to be paid by the Dominion. This might be right enough, but, if so, the penalties collected should also go to the Dominion. There was no reason why they should go to the different Provinces; and this would always be

a means of recouping the whole of the expenses to which the country would be put by means of this Act.

MR. BUNSTER said that compensation should be given by the Government for the abolition of vested rights. There were 131 breweries in the Dominion; they represented considerable capital, and if they were to be destroyed by the operation of this obnoxious Act, it was only just and fair to allow compensation.

MR. MACKENZIE said that the 124th section had better be struck out. He would consider, in the meantime, a section regarding penalties. He proposed that the fines should go to the Dominion.

Bill, as amended, *ordered* to be reported.

House *resumed*.

Bill *reported*.

#### SUPPLEMENTARY ESTIMATES.

##### MESSAGE FROM THE GOVERNOR-GENERAL.

MR. CARTWRIGHT delivered a Message from His Excellency the Governor-General.

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

“DUFFERIN.

“The Governor-General transmits to the House of Commons, Supplementary Estimates of sums required for the service of the Dominion for the year ending 30th June, 1878; and in accordance with the provisions of ‘The British North America Act, 1867,’ he recommends these Estimates to the House of Commons.

“GOVERNMENT HOUSE,  
“Ottawa, 2nd May, 1878.”

MR. CARTWRIGHT moved that the said Message and Supplementary Estimates be referred to the Committee of Supply.

Motion *agreed to*.

House adjourned at  
Twenty minutes after  
Two o'clock.

SIR JOHN A. MACDONALD.

## HOUSE OF COMMONS.

*Saturday, 4th May, 1878.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

### IMMIGRATION AND COLONIZATION COMMITTEE.

#### FIRST AND FINAL REPORT.

MR. TROW presented the first and final report of the Select Committee on Immigration and Colonization.

### PREVENTION OF CRIMES OF VIOLENCE BILL.—[BILL No. 75.]

(*Mr. Blake*).

#### CONSIDERED IN COMMITTEE.

House *resolved* itself into Committee on said Bill.

On Section 2,

MR. LANGEVIN said he wished to say that he, for one, would not consent to a Bill of this kind, if the hon. gentlemen most interested in this matter, the representatives of the city of Montreal, and others, had not represented that the state of feeling there, and what had passed during the past few months, required a very stringent measure. This was, he knew, a very severe measure. It interfered to a great extent with individual liberty; but, on the other hand, the intention was to strike terror into the minds of those who were disposed to trouble society, break the peace, and, perhaps, commit such violence as might lead to bloodshed, and, perhaps, loss of life. Under these circumstances, it was with the greatest reluctance, he consented to this Bill. There were provisions in it to which he would certainly object, were the measure limited to the space of time that would elapse between now and the end of next Session. Though enacted for a short period, yet, if the proclamations were issued, it would interfere with our rights and privileges; but, on the other hand, it was considered necessary in order to avoid a greater evil.

MR. SPEAKER said he thought it was very much to be regretted that such a Bill should be considered necessary. He believed that there was no right-minded man in Parliament who would not, with very great reluctance, consent to a passage of a Bill of this character. His own impression, he must confess, was that if such a Bill was necessary, it did not go far enough. In the first place, the person should be held more sacred than the domicile; and if the person could be searched without any previous information being laid on each, there ought not to be any serious objection to searching the domicile. Moreover, he believed that if they allowed persons to keep weapons of a dangerous character in their houses, the Bill would be ineffectual in its operation. The man who would go out with the deliberate intention of shooting down another man, would not be deterred from carrying out his intention or his attempt to do so by any dread of being searched for weapons and of having them found on his person; and when a time of excitement occurred, or a riot or tumult in the neighbourhood of persons desirous to use these arms, and if they had them within easy reach in their outhouses, he thought the chance would be very great, indeed, that they would not run to their houses, procure their weapons, and bring them out and use them. He was satisfied himself that if an "Arm Act," as it was called in the Imperial Parliament, was necessary at all in the City of Montreal, or elsewhere, it should go to the full length, and that the whole population, in the first instance, should be absolutely disarmed, and then only persons of known respectability should receive licenses, and under these licenses to have their arms in their houses; but licenses should not be given, as under this Bill, to carry weapons on the person in such places as the City of Montreal, where no man should be required to carry weapons of any kind at any time.

MR. DEVLIN said it was, of course, to be very much regretted that there should exist a necessity for the introduction of a measure of this kind into the House, but, unfortunately, the

necessity existed, and it would, in his judgment, be criminal, in fact, on the part of the House to separate without legislating to meet the difficulty that existed in the City of Montreal. He presumed that every member of the House was aware from the newspaper reports which reached them from time to time, of the state of feeling in the city of Montreal, that life in fact was without security there at the present moment, and that it was not safe to leave your house at night, and walk through the streets of Montreal without incurring the danger of assassination. This, of course, was a most unfortunate state of things; but, as he had said, this state existed, and this Bill was intended to apply a remedy, as far as it was possible, for the law of the land to apply a remedy, to the evil under which Montreal now laboured. As Mr. Speaker said, it was, of course, to be regretted that a law of this kind should be found necessary, but it was not the first time that a law as severe as this had been introduced. The *Habeas Corpus* Act he thought was suspended on more than one occasion; it was found necessary to do so in the interest of the country; and it was now absolutely necessary, in the interests of the peace, welfare and happiness of the leading city of the Dominion of Canada, to press a law and a stringent law to deal with the lawless class who had so far set the law at defiance. He agreed with Mr. Speaker in the opinion he had enunciated as to the necessity of making the law more stringent. He was in favour himself of making the Bill as stringent as possible, and a terror, if possible, to evil doers, and to show those persons who had set the law at defiance, that the law, after all, was strong enough to deal with their offence, and to put them down. It was the intention to move a clause which he thought would meet it to the full extent, at least to a very great extent, the objection, or suggestion rather, of Mr. Speaker, in reference to the search in houses. He might also mention that yesterday a meeting of the City Council of Montreal was held, and at that meeting the city was fully represented in every way, in creed, in class and in nationality; and at

that meeting it was resolved to appeal to this House and to the leading and distinguished members of the House who had taken this matter in hand, such as the hon. member for South Bruce, and to ask them to make this Bill as stringent as possible, and to have a clause inserted in the Bill authorizing the police officers to search houses and other places where there might be reason to suspect that arms lay concealed or deposited for unlawful purposes; and this it was now proposed to do. Something was said, though, perhaps, he ought not to refer to it all, but still, perhaps, it was as well under the extraordinary circumstances under what this Bill was now introduced to mention it. A statement was made in some of the Montreal papers that there was no Protestant in this House from the city of Montreal, and some apprehension was expressed or manifested that perhaps this Bill would not receive that attention which the Protestant interests demanded. He took this opportunity of begging the hon. members of the House, who were Protestants, to give their best attention to this Bill, and if they found in it one word, or a clause or anything indicative of hostile intention of that kind, let it be struck out; but he presumed that it was not necessary for him to say that they were not legislating here for Protestants or for Catholics, but in the first place, and principally for the honor and dignity, and the stability, and the safety of all classes who resided in the city of Montreal, and for the good name and fame of the Dominion of Canada; and not on behalf of any class. This Bill had been prepared by the hon. member for South Bruce, who certainly could scarcely be suspected of preparing a Bill which would invade in anyway the rights or liberties of any of his fellow-citizens. Speaking for the hon. member for Montreal East, and in his own name, he desired simply to say that all they asked for from the House was for a law that would meet the unfortunate state of things which now existed in Montreal; and the demand for this Bill came not from any particular class but from all the citizens of Montreal, who valued the good name of the city, and were anxi-

ous to live on terms of good will and brotherhood with their fellow citizens, as in times gone by. He really felt ashamed to be obliged to make these remarks. It was only a very short time ago that it was their proud boast that there was no city in the Dominion of Canada, and none on the Continent of America, more distinguished than Montreal for its peaceableness and charitableness and its good will towards all classes of their fellow citizens. But this happy feeling had been changed. He should not avail himself of this opportunity to enter into the cause of the unhappy state of things that exist there now; but he would say that it was their bounded duty to nip the evil in the bud, and to show those who were determined to set the law at defiance that there was power and will and strength enough, and determination in this Dominion to stamp out every lawless attempt calculated to imperil the safety of life and property, and good name and reputation of our Dominion, no matter from what quarter that hostility may come. It was in this spirit that this piece of legislation was conceived by its distinguished author, and it was in this spirit, he trusted, that the Bill would pass through the House, and he also hoped that they would before long be able to do away with this law, that there would soon be no necessity for it; he trusted that Montreal would return to her former condition, and that the happy feeling to which he had referred, and which it was their pride to encourage in Montreal, and to boast of at all places and at all times, would return once more; and that they would hear no more of these fearful and deplorable scenes which were a disgrace not only to Montreal, but a source of shame to the whole Dominion. He could say on behalf of his hon. colleague from Montreal East and himself that this matter was not neglected. Some weeks ago it was brought by himself under the special notice of the hon. member for South Bruce, and under his notice especially, because he had already dealt with a branch of this question when Minister of Justice. He also had the honour of bringing it under the notice of the Premier and of other members of the Government; and he had simply in the name of Mon-

treal to return them their cordial thanks for the interest they were taking in the welfare of Montreal, and to this House for the spirit it was now displaying in support of law and order in Montreal, and in support of charity, brotherhood and neighbourly love.

MR. JETTÉ said he fully concurred in the remarks of his hon. colleague from Montreal Centre. No doubt the Bill now submitted was exceptional legislation; but it was required by the exceptional circumstances in which they stood in the city of Montreal. He knew the nature of the amendment which the hon. member for Montreal Centre was to propose; and he fully approved of this amendment, which was calculated to make the law more stringent and more effective if possible.

Section agreed to.

On Section 7.

MR. DEVLIN submitted that in order to give speedy effect to this Bill, persons charged with offences against the Act should be summarily tried.

MR. BLAKE said this question had been considered by the Committee, and they had not seen their way clear to alter the provisions of the Bill in this respect. The party who elected to be tried by jury, was either held to bail or put in jail, and it was a question whether the painful occurrences which had given rise to this legislation were sufficiently grave to lead Parliament to refuse the right of trial by jury for a criminal offence. The City Council of Montreal had asked the House to provide for a summary trial, but although they were bound to act promptly and severely, and by exceptional legislation, which, under ordinary circumstances, would deserve the term of odious legislation, they must be careful that they were not frightened into doing anything which they might afterwards regret.

MR. LANGEVIN said he agreed entirely with the hon. member for South Bruce. The hon. member for Montreal Centre (Mr. Devlin) should remember that this was not legislation for the City of Montreal alone, but for the whole Dominion. They must not take it for granted that

all the parties arrested would be guilty, and it would not be judicious to deprive innocent parties of the great safeguard which they possessed of being tried by jury. They should not be carried away by the impulse of the moment or by the fear of trouble in Montreal.

MR. DEVLIN said an innocent man would be very anxious to be tried immediately. It was only the guilty parties who would like to postpone the trial as long as possible. The absolute urgency of dealing with the difficulty existing at the present moment should be borne in mind, and he feared if they did not deal with these people in a summary manner the effect of the law would be very much impaired. He did not know that they should be so scrupulous in dealing with persons who were found with loaded arms in their possession for the purpose of assassination. If they were tried before the Recorder or the Police Magistrate they would have all the opportunity they could possibly have before a jury. They should bear in mind the necessity which had called forth this legislation, and should remember that it was of the highest importance in regard to the class they intended to control, and the violence they intended to arrest, to apply the remedy as quickly and as stringently as possible. The only way to strike terror into the mind of the evil-doer was to provide that the punishment should follow immediately on the commission of the offence. The loss of one life was a terrible thing, and the saving of one life was a very important thing; and he asked the House to consider what must be the consequence if these persons could escape trial. He was glad that this difficulty was so far confined to Montreal, but they knew not how soon it might extend beyond its limits. It was, therefore, of the highest importance that the disease which had shown itself in Montreal should be stamped out there at once, and should not be allowed to spread throughout the rest of the Dominion.

SIR JOHN A. MACDONALD said the hon. member for Montreal Centre (Mr. Devlin) spoke as if this was a law

to bring to justice people lying in ambush to commit murder. That was not the fact. It was to prevent the carrying of arms. If a man were charged in addition with lying in ambush to commit murder, he must be charged by a jury.

MR. DEVLIN: If there are three or four persons standing at a street corner, and you find loaded revolvers upon their persons, what are they there for?

SIR JOHN A. MACDONALD said he did not think his hon. friend's book on criminal evidence would be trustworthy, if he said that the fact of their being found with arms upon their persons would prove that they intended to commit murder. They might simply desire to protect themselves. If a man was found with arms upon his person, in the first place, the weapon was confiscated; then the man had the indictment hanging over him, and the sureties were interested with him in keeping the peace, because, if he were guilty of any further violence, it would injure his case very much.

MR. HUNTINGTON said that, while there appeared to be no difference in the House as to the grave evil which had caused this legislation now being asked for, it would be regrettable if the impression should go abroad that the public would not be sufficiently protected, after the Bill had passed, by the ordinary process of law. There was no doubt that the people of Lower Canada, as one man were opposed to the system of violence which prevailed in Montreal, and no doubt that violence was not the result of disloyalty, and was not against the Government or the law *per se* in the minds of the infatuated people who were carrying it on. Directly they understood that the carrying of arms was *prima facie* evidence that they belonged to the dangerous classes, and would be put under arrest, they would feel that they were outlawed to a great extent, and that would probably be available to stop the illegal proceedings in which they were engaged. He thought it would be regretted if the House and the country

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were made to believe that the state of things in Montreal was such as require the suspension of the old system of trial by jury. He believed it was not as much the penalty upon which they were to depend for staying this lawlessness which they all deplored, as the fact that the lawlessness would be defined, the men arrested, the arms confiscated, and the stamp of outlawry imposed upon the system now prevailing.

MR. CAMERON said the hon. member for Montreal Centre (Mr. Devlin) seemed to confound the urgency to prevent the commission of crime with the urgency to punish it. This Act provided amply for the prevention of crime. He denied altogether that the urgency to punish existed. He did not think it was desirable that the trial should take place or the punishment be inflicted during a period of great local excitement. He confessed that he had considerable doubt whether the law, as it stood already, was not sufficient.

MR. DEVLIN said that seeing the House was against the proposition, he would not press it.

Section agreed to.

After Section 13,

MR. DEVLIN moved to insert the following in Section 14:—

"Any Justice of the Peace may, on the oath of a credible witness, that he believes that arms exceeding five in number are in any house or place within the proclaimed district, in order to their being carried within the proclaimed district, contrary to the third clause of this Act, shall issue his warrant to any constable or peace officer, to search for and seize the same; and he, or any person in his aid, may search for any arms, and if more than five arms be found in such house or place, he may seize and detain the same.

"2. In case admission into such house or place be not granted after demand, such constable or peace officer or any person in his aid, may at any time between sunrise and sunset, enter the same by force, in order for search and seizure.

"3. Unless the person in whose house or place the same are found do, within four days next after the seizure, prove to the satisfaction of the Justice that they were not in such house or place, in order to their being carried within the proclaimed district contrary to the 31st clause of this Act, they shall be kept and

retained for the use of Her Majesty, and otherwise they shall be restored to such person."

Section agreed to.

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

#### CANADIAN PACIFIC RAILWAY.

Order for House to go again into Committee of Supply, read.

Mr. MACKENZIE: I desire, Mr. Speaker, before you leave the Chair to make some remarks concerning the position of the Canada Pacific Railway before we enter into discussion in Committee upon the several items which are contained in the Estimates laid before the House. At present it will be readily understood by all who have read the reports published that we have arrived at the period when it becomes necessary to take some definite and decided steps towards making an attempt at the construction of that road, because of the entire completion of the surveys upon the several routes that are most likely to be adopted by the Government from one end of the line to the other. On previous occasions I was obliged to refer to some extent to the difficulties which beset the Government in undertaking such a vast enterprise, and I must, at the present moment, refer to the inception and the character of that enterprise as I felt it to be from the first. I shall not at present enter into a discussion of what may be called the mere political aspect of the question which resulted in the conception of this great enterprise, or the binding obligation which was made with the Province of British Columbia concerning its construction, further than to say that at that time I deemed it an unwise proceeding to make any binding obligation with any one of the Provinces for the expenditure of such an enormous sum of money as this involved, and the undertaking of such an obligation, without any kind of information concerning the character or extent of the enterprise further than might be obtained by placing a pair of compasses on a map and measuring the distances from one point to

another over the continent. At the same time, there can be no question of this, that it was in itself a desirable object to obtain railway communication from one end of our Dominion to the other, traversing the continent from east to west. So far as the desirability of obtaining such a connection may be concerned, there can be no real difference of opinion between any two parties in this country, or amongst any class of our population. But, Sir, while that is the case, we have to consider in, entering upon a scheme of that kind, what it involves. It ought to be done with the far-seeing eye of the statesman, and its prosecution ought to be undertaken with a due regard to the capacity of the country to sustain such an enterprise. At the time that this Administration came into office, we found that the work had been fairly entered upon. The obligation was first incurred early in 1871, and, during that year, some arrangements were made for making a commencement of the work of exploration as the necessary preliminary to the execution of a work which the Government of the country was bound to have completed in 1881. I need not refer to the efforts made by myself and others, when we occupied seats in the Opposition side of the House, to obtain some relaxation of what we considered terms which were too onerous to be borne by this country. And when the new Government succeeded to power in November, 1873, it was one of those difficult questions which we had before us—as one which, if not demanding an immediate solution, required such attention as would enable us to present to Parliament, when it met in 1874, some scheme whereby the views we had previously entertained might be, to a greater or less extent, carried out in practice. Those views, as I have already indicated, were that it was an absolute necessity to obtain some modification of the original conditions, and that we should not be placed in the position, if it were possible to avoid it, of having wantonly undertaken to discharge certain obligations, and, at the same time, have made no effort to carry them out, so far as they related to any particular part of the Dominion. I felt, Sir, that the mere wording of a

resolution, which provided that this enterprise should be undertaken without increasing the burdens of taxation, was, in itself, scarcely sufficient to justify us in assuming that it would be right to violate what was practically a solemn treaty obligation, although such resolution being passed with the knowledge of all must have weight; and therefore we placed ourselves in communication with the Government of British Columbia with a view of obtaining such a relaxation of those conditions as would justify the Government in proceeding, to some extent, with the execution of the works, and, at the same time, fulfil the other condition which provided that no increase to the burden of taxation should be imposed upon the Dominion generally in carrying out such modified terms as might be made. Now, Sir, I felt all through those negotiations with British Columbia, that we had the moral power and weight of the question on our side, though the letter of the engagement was with them; that the physical fulfilment of the conditions made were practically and utterly impossible; that there could be nothing, as I believed, more foolish than to pretend that we would be able to finish the road within the time that was provided for in the Act of Union. We had already, up to that time, spent somewhat over two years and a half from the time that the obligation was incurred in exploratory surveys, and not one mile of the road was at that time located. It was still a matter of uncertainty what route might yet be adopted, and further than a fact which we find recorded in one of the reports of the engineer, that the pass known as the Jasper House Pass had been selected by the late Administration in April, 1872, as the one by which the Rocky Mountain range was to be penetrated; nothing of any moment occurred which would have justified the Government in assuming that a practical line had been found, or laid down on a map, in any part of the 2,600 miles to be traversed. The modified plan which we suggested was, that we should as rapidly as possible complete the surveys, and when the surveys were completed we should endeavour to complete such

initial portions of the railway as would enable us to carry forward our own population and our immigrant population into the interior of the continent, and afford some more rapid means of transit from the West through the Rocky Mountains to the prairie region. And in order to accomplish this we proposed that we should for a time abandon, as not immediately necessary, the construction of the line from Nepigon or the west end of Thunder Bay, as might be, to Lake Nipissing, which was selected as the eastern terminus; and that we should, for a time at least, until our financial condition would enable us to complete the after portion, avail ourselves of the navigation of the great lakes—that is Lakes Huron and Superior—and effect a connection between the western end of Lake Superior, at whatever point might be decided, and touching upon the eastern end of Lake Huron in Georgian Bay; that from that point eastward we should build a short branch to reach the originally projected terminus south and east of Lake Nipissing, and that we should subsidize one of the Ottawa Valley railroads, running as directly as possible in the direction of Montreal in the valley of Ottawa. The original project contemplated was, of course, to connect the two oceans, and the only point which might be looked to as the ocean terminus to the East was the city of Montreal, while on the West a point had to be selected according to the developments which might be made during the progress of the survey. Having this scheme in view which I have briefly noticed, and, I might say, anticipated at the time, knowing too little of the interior of the country to be aware whether we should construct a railway more cheaply or not, we contemplated also using in other parts of the country what has become a proverbial phrase in this House: “the magnificent water stretches” we possessed in that country. The plan, Sir, which we had thus sketched out obtained finally the sanction of the Columbia Government, under the intervention of Lord Carnarvon, the Colonial Secretary, and by those terms it was provided that we should build a line between Esquimalt, or



Victoria and Nanaimo, as speedily as possible, as compensation for delays which had occurred or which might occur, but not as part of the Pacific Railway; and as soon as the surveys were completed and the line actually located on the mainland, that we should spend a sum not less than \$2,000,000 per annum upon the construction. In accordance with those arrangements a Bill was brought into, and carried through, the House for building the short line upon Vancouver's Island. That Bill was defeated in the other branch of the Legislature, and of course it became impossible for us to carry out that part of the arrangement with British Columbia. In the meantime, we had made considerable progress with the surveys in British Columbia, and over other parts of the route where it was necessary to have an exhaustive survey made in order to decide on what particular line we should ultimately construct the road. I need not advert at any great length to the character of those surveys, nor need I refer particularly to the various phases which the subject assumed as information of a fresh character reached the Government from various quarters as the work progressed. I have been told, Sir, occasionally in this House, during last Session notably, that I have materially changed my views of certain portions of the road from those which I first stated in expounding the policy of the Government in 1874. I stated on those occasions that I had no views to present to the House at any time or during that Session from personal observation, or for which I could personally in any way be held responsible, or which imposed any obligation as to their accuracy upon the Government, because all those statements as to surveys and results of surveys were necessarily predicated upon the information obtained from the engineers who were engaged in them, and concerning which it was manifestly impossible for the Government to ascertain their accuracy or inaccuracy. It was my own firm belief, for instance, for many months after I assumed the duties of this Department—and it was the belief of the Government—that Lake Nepigon, or rather Nepigon Bay,

would be the most suitable terminus on Lake Superior, and it undoubtedly would be even yet, in one sense, because the distance from Selkirk, as the objective point in the West, common to all routes, *via* Rat Portage, would be shorter to Lake Nipissing if we had been able to carry the line direct, or nearly direct, to Nepigon, and thence traverse the country either by the lake shore, which is somewhat rough, or go back to a point north of the end of Long Lake and reach a comparatively easy country far to the north of Lake Superior, or behind that fringe of rough country which borders the lake. But the examination of the country west of Nepigon, especially in the valley of the Sturgeon River, which was found to be the most accessible route leading, not very directly, but still in the direction that we desired to go, showed that the country was exceedingly rough, that the labour would be very great, and that the work of construction would be very heavy. The late Government, I may say, anticipating probably that something of this kind might be found, and, at all events, no doubt, considering it necessary to examine alternative routes, despatched a strong party of engineers to examine the country from Thunder Bay westward. That examination, I may say, was so far completed towards the autumn of 1874 that we found there was no doubt of a favourable route being obtainable by the valley of the Kaministiquia traversing the country west of that, either as was first anticipated by what is known as Sturgeon Falls, and passing in a nearly direct line to Rat Portage, or, what was afterwards found still more desirable, to pass to the northward of Lake Shebandowan and Lac des Mille Lacs, reaching the waters of the latter lake at the mouth, or near the mouth of the Savanne River, which falls into Lac des Mille Lacs from the north-east. This route was found remarkably easy of construction, and, as I will show before I have done, has proved to be in point of construction remarkably cheap. At the same time we reached Lake Superior, as I believe, at a harbour in Thunder Bay of a superior character. I do not pretend to have any personal

knowledge of the comparative merits of the two points, that is Nepigon Bay and Thunder Bay; but I have no doubt, from what I have read and heard, that either port would prove a most available harbour for the trade that might be attracted to these points after the construction of the railway. The energies of the Government, then, Sir, were directed towards a matter that I shall refer to very briefly when I come to speak of the details of the work which the Government has undertaken. In the meantime, to give some idea of the vastness of the enterprise upon which the Government of Canada had entered, we have only to observe that we had to traverse a continent, most of it absolutely unknown except by a few Hudson Bay traders and a few Indians, from whom some general information only might have been gleaned. The country from Lake Nipissing, following up towards the Montreal River and behind the border of the mountains on the lake shore, was scarcely ever trodden by any scientific men who left any proper record of its character behind them. And from Lake Superior, on Thunder Bay, westward to Rat Portage, although the country had been traversed for a century by the employés of fur-trading companies in their journeys to the west and return journeys to the east, comparatively little was known of the country. It was only known that it was a country traversed by numerous streams and dotted with many lakes; that it was an extremely rocky country, and densely wooded for the most part, although occasionally there were large tracts of good land in various places, but insignificant as compared with the entire area of the country to traversed. The entire country from Lake Nipissing to Rat Portage, or almost to the Red River, was without a single inhabitant, or only temporarily occupied by trappers, who had penetrated the wilderness at various points in pursuit of their calling. The explorations of Captain Pallister and the other Imperial officers had left us the only accurate information of the country west of Red River we possessed, beyond that obtained by the early missionaries who visited that country on their benevolent enterprises. But still the exploration

of that portion of the country was a matter of comparative ease. It was, however, when we reached the Rocky Mountain range that the most serious difficulties of the enterprise presented themselves. One large party of engineers spent nearly two whole years in endeavouring to find a suitable pass through this formidable barrier, and through the hills that lie within the bend of the Columbia River. Much time was afterwards spent in the country north of that river and the Thompson, known as the Cariboo Mountains. At one time, after it was decided by the late Administration that the Yellowhead Pass should be the point for penetrating the Rocky Mountain range, it was supposed that after passing down from Tête Jaune Cache a short distance on the North Thompson River it would be possible to find a nearly direct line across to the Chilicotin Plains by Clear Water Lake, with a view to reaching the Bute Inlet route somewhere on those plains. But the second season developed such numerous and serious difficulties that it became quite impossible to traverse the country in that direction, and the attempt had to be abandoned. The next season we surveyed the country mentioned in an early report as a probable route by Mr. Sandford Fleming, which passes to the north and west of Cariboo Mountains, following down the valley of the Fraser until we reached a point west of Fort George, whence it diverged nearly due south but west of the Fraser, traversing the Chilicotin Plains and taking the pass through the mountains known now as the Homathco Valley Pass. In all of those enterprises we find from Mr. Fleming's report, that we had 47,000 miles of route actually traversed by the various parties who were sent out to explore the country. A very large proportion of this had to be done under circumstances of the greatest difficulty and danger. That difficulty and danger, perhaps, could best be estimated by the statement that there was a loss of life of about forty men during the progress of those explorations. Some were surrounded by forest fires and burnt to death. Others lost their lives in endeavouring to cross dangerous rivers and descending the tumultuous rapids

to the Fraser and other rivers little known. In addition to the actual travelling of 47,000 miles of district routes in search of the best way whereon to build the railway, we find that there were actual instrumental surveys, laboriously measured yard by yard, of not less than 12,000 miles, or very nearly five times the length of the road when completed from Lake Nipissing to the Pacific Ocean. It is difficult to estimate the amount of labour incurred in this gigantic enterprise, and difficult to over-estimate the zeal, the assiduity, and the diligence of many of the parties who were engaged in this work, unless one should visit the country traversed. On one occasion, for instance, a party was sent in the autumn of the year, in December, from Fort George to survey the northern affluents of the Fraser, which were supposed, from some rumours which reached the Government, to reach some point in the Rocky Mountains north of the Yellowhead Pass which would present a more favourable route for passing the mountain range. This party, under Mr. Jarvis, spent the entire winter in those bleak mountains, and in the midst of the deepest snow which is to be found in that quarter, with only the shelter of the canvas tents at nights. And so, Sir, with regard to other districts which were traversed by parties of engineers in all directions. We find that the greatest amount of labour which could possibly be endured was endured by many of those men in the survey. The Government were compelled, in consequence of the obligatory character of the arrangement which was entered into by the late Government, to press the work in this manner in order to secure at as early a day as possible the best information concerning the character of the country, its natural advantages, as well as its topographical features, before it would be possible for us to come down to Parliament and announce the section of the route upon which to construct the road. In order to give another idea of the amount of labour which was incurred, I may state that in the first year, in 1871, in making the mere preliminary preparations for the survey, there was expended \$30,148. In

the second year, 1872, the amount spent in surveys was \$489,428. In the third year, 1873, \$561,813; in the fourth year, \$310,224; in the fifth, \$474,529; in the sixth, \$791,121; in the seventh, \$754,634—being a total up to the first of June of last year of \$3,411,895. And the expenditure for the current financial year has yet to be presented, but as it is not completed I am unable to state what it will be, except that the estimate was \$230,000. But this much we know, that, taking the entire length of the road, and supposing it to be finished now from Lake Nipissing to the Pacific seaboard, it has cost for these preliminary surveys—when I say preliminary surveys I mean all the surveys preliminary to actual construction being commenced—the sum of \$1,300 per mile. In order to estimate accurately the nature of the difficulties in British Columbia, I may state that though, I am not able to give the exact division at the moment, out of three and one-half millions spent up to the end of the last financial year not far short of one-half was spent in British Columbia upon an extent of one-fifth part of the entire length of road.

**MR. DECOSMOS:** One-half of it was wasted.

**MR. MACKENZIE:** My hon. friend says one-half of it was wasted. I cannot speak as to what was wasted further than to say that it would be very difficult indeed to undertake a work of such vast magnitude without wasting a great deal of money. The necessities of the case were such, then, when men had to be sent into all quarters of the country, and an enormous expenditure had to be incurred in getting in the provisions and supplies necessary for maintenance—I say that under these circumstances it would be a marvel indeed if a large amount of money were not spent upon works which afterwards turned out to be absolutely worthless, but which could not be known originally. I can only say that it would, perhaps, be difficult to find a more energetic staff of engineers than were concentrated on that work, though there might be—no doubt there were—many among them who were not as fit for their position.

as it were desirable they should be. Where we have to pick up at once from one hundred to two hundred engineers to prosecute a work under the stinging impulse of an obligation as to time, which we are anxious to fulfil, it is difficult to avoid an expenditure which, in a more leisurely and deliberate way of examining the country, might have been avoided. When we find that all this work was accomplished practically in the space of six years, we may say also that a feat is presented in the examination of a continent which has never been equalled, so far as I know, in any country. Why, Sir, on a railway from the interior of India to Bombay they spent, in making the survey of a line which traversed a country, except where it crosses one mountain range, comparatively easy for engineering, and covered with a dense population, a period of four years; and they were able to begin no portion of the construction on what is known as one of the great engineering works of that country. Our engineers had to traverse a country entirely without any population, except at one point, where they reached the Red River settlements; and we know from the sparsity of the population even there, that so very small a quantity of produce was then grown in that rich country, that at that time we could not depend on obtaining a large amount, if any at all, and supplies had to be taken into the country by the most laborious process, and at a very great expense. Now, Sir, various estimates have been made at different times by different individuals as to the cost of the construction of this railway. I will, at a future part of my remarks, give some information about the actual cost where we have ascertained it. But, as to the total cost of the enterprise, reviewing it from an initial standpoint, I must confine myself to the official information placed in the possession of the late Government, and of course committed to myself also after I succeeded in office. In Mr. Fleming's report of 1873, to the Government, is a memorandum for the guidance of the Government, made under conditions to which I shall not allude at the present time. The estimated cost at that time was, for the

Pembina branch, \$13,000,000; from Lake Superior to Red River, \$14,700,000; from Red River to the Rocky Mountains, \$26,000,000; from Lake Nipissing to Lake Superior junction, \$23,000,000; from the Rocky Mountains to the Pacific, \$35,000,000—or a total estimated cost of \$100,000,000 to connect the systems of the Eastern Provinces at Nipissing with some ocean port on the Pacific coast. The vastness of the enterprise might be enhanced, or it might be reduced by the particular port selected on the Pacific which it might be determined to reach, and, shortly before the late Government left office, they had practically determined upon reaching the ocean by the port of Esquimalt. To reach the ocean by the port of Esquimalt would, however, require a much larger estimate than the \$35,000,000 which is placed down here as necessary to traverse British Columbia. When I come to speak of the comparative merits of the several routes, I will allude to the expenditure necessary to reach the several points which have to be reached in ultimately finding a suitable harbour for the trade of the country. But I now propose to say a few words with regard to the different lines which have been selected; first, east of the Rocky Mountains, and, secondly, in Columbia. The engineers of the Department, in selecting a route from Lake Superior, had, as I have already stated, to reach Rat Portage as the objective point on the west to which all lines must converge starting from the eastward, and from that point west it was an open question whether the line should traverse the more southern parts of the country, crossing Red River either at the city of Winnipeg or a little to the south or north of it, or whether it should cross the Red River towards its junction with Lake Winnipeg, and cross the country in another direction from that which would be taken if the route south of Lake Manitoba had been selected. Now, some hon. gentlemen will have observed, no doubt, on the map—and we have heard explanations concerning the map and the route by way of the city of Winnipeg during this Session—they will have observed

that, by taking the southern route, we would again reach the valley of the Assiniboine, somewhere about 140 or 150 miles west of Red River; and, by taking that route, we would have to bend considerably to the southward of the general line, to avoid crossing the Riding and Duck Mountains at a place where it would require high grades, probably going east as well as west. The other route, which was at one time supposed to be somewhat more difficult, took nearly a straight course from Rat Portage to what is known as Selkirk, a point 22 or 23 miles north of Winnipeg on the Red River, and from that point went in a nearly direct line, crossing the Narrows of Lake Manitoba, to a point at the extreme northern flank of Duck Mountains, and marked on the map as Northcote. From that point there was a slight divergence to the southwards, in order to reach the most favourable point in the Swan River Valley, but following generally the course of Swan River from that point I have alluded to, to the other point from which it took a due west course until it reached very nearly the vicinity of Battle River, on the North Saskatchewan. There had been some controversy about the course adopted in traversing the Province of Manitoba and the territory immediately west of it. It was supposed by some people that Mr. Fleming had made a mistake in selecting the northern route, and it ought to pass through the country south of Lake Manitoba, taking the course I described a few minutes ago. Taking this course, however, would be open to two or three very serious objections. In the first place, it was known that the engineering difficulties would undoubtedly be somewhat serious, and we knew from Mr. Smith's explorations during the last season, that they were even more severe than we had anticipated. We find that the deep valleys cut by the rivers of the country, falling into the Assiniboine, and by that river itself, were so deep and wide as to make bridging upon anything near the average level of the prairie an impossibility. The valleys have a depth of from 200 to 250 feet below the general level, with a width in some places of about a mile on the

level. We find that in one place it required a divergence from a straight line or rather involved a curvature which lengthened the line nine miles, thus adding that much to the length and cost of the road, in consequence of having to pass over one only of those rivers. Mr. Smith confirmed in his report the conclusion that Mr. Fleming had arrived at in previous years, and the Government felt that the proper course to adopt was to follow the line projected by Mr. Fleming. We know that besides lengthening the road from twenty to thirty miles, it would involve an expenditure in the neighbourhood of \$1,000,000, because of the more severe character of the works, as well as the additional mileage imposed on passengers and traffic for all time, which is itself a most serious objection. The other objection was that it was desirable, if possible, that a national highway should point in the direction of the greatest amount, and keep near the centre, of the habitable territory, thus fulfilling the conditions of a really national highway through fertile lands. The character of the country for fertility would to some extent—other considerations being equal, to a great extent indeed—determine alike the engineers and the Government in the final selection of the route. We have, therefore, decided without any hesitation, after the most careful enquiry that can be made, to follow the line which is now laid down to the Jasper House Pass. The question which has arisen very lately of adopting another route to the northward even does not alter in any way the conditions that I have referred to as governing the selection of the route east of Livingstone, because it will be seen that if the Government and Parliament should decide upon adopting the Peace Valley Pine River route, as projected by several gentlemen, they would still take the same line that we have now taken to that point north of the Duck Mountains, and from that point they would take a straight line to Fort à la Corne, and pass from there nearly in a straight line to the lower forks of the Smoky River, passing by Lesser Slave Lake on the south, and so reaching Pine River Pass. We are not in a position to discuss this route,

for the single reason that that part of the country has not yet been surveyed. Except so far as the travels of Mr. Horeitzky, one of our officials who was sent over a portion of that country to examine and take information regarding the Pine River Pass by Mr. Hunter, may be called a survey, supplemented by the information brought to us from the Peace River Valley by Mr. Selwyn and Mr. Macoun, we have practically no information beyond this as to the character of this route. We knew, indeed, as a general thing, that this route would traverse a favourable country for agricultural pursuits. I think there can be no question about that. Whether it would be more favourable than the southern route—or rather the central route, as we may call it—is a matter of conjecture, as we have no such definite information as would enable us to make an accurate comparison. The experience we have gained from time to time as to knowledge of the country makes me very reticent indeed about venturing on any statements which are not borne out by accurate observations of parties upon whom the Government could place full dependence. There is one thing, however, quite certain, that the adoption of that route, either by Pine River Pass or by Peace River, would, even, on Mr. Smith's estimate—and he is extremely favourable to its adoption—involve an increased length, assuming the percentage of curvature to be the same as on the other line, of about 52 miles, and I fear that the curvature on reaching the country near the base of the Rocky Mountains and the crossing of Smoky River, and other rivers flowing north into the Peace River, I fear the deflections from a straight line and the crossing of those deep valleys, which are described by Butler and other writers as from 500 to 900 feet below the general level, would make this curvature considerably more than on the located route. In fact, the curvature of the selected line is next to nothing, for a large portion of it traverses a prairie country. The cheapness of construction, of course, enters mainly into the consideration of the subject, and must, therefore, be a governing element. It is possible, how-

ever, if the road is constructed by the present route, that from a point east and west of Edmonton branch lines might be projected into the Peace River country which would serve all the purposes of reaching that quarter by immigrants and supply the settlers with the means of exit with whatever they produced. When I come to speak of the natural features of the county, I may allude to some matters which are the subject of controversy at the present time. The mileage of the different routes and the grades of the several routes are, of course, important elements to consider. Mr. Fleming set out with the determination, if possible, to obtain a grade not exceeding  $26\frac{1}{2}$  feet per mile, or less than one-half of the maximum grade on the Intercolonial, going eastward from the Rocky Mountains, or one not exceeding 52.80, or one foot to the mile, westward. This determination was arrived at from the consideration that it was exceedingly desirable to have the most favourable grades going eastward, because it was in the direction of the largest amount of traffic. The grain of that country and other natural products will, of necessity, be carried cheaper if there are low grades, and a much larger amount of work can be accomplished by one engine than could be accomplished with a higher maximum grade, which, even of a few feet more, would make a material difference. I am happy to say that, up to the present time, on the 228 miles under construction we have been able to adhere rigidly to those grades. Whether we will be able to do so east of Rat Portage may be a question, but, undoubtedly, it is an object to do it, if it can at all be sustained by a reasonable outlay. The grades from that point westward all the way to the Pacific Ocean, by one particular route, are not in excess of those which are to be obtained from the prairie region from Selkirk eastward to Thunder Bay. The grades upon the other lines are materially different. One of the considerations which must govern us, even in the selection of a road capable of favourable gradients, is whether the cost of obtaining such grades is much in excess of what it would cost to build the road where there are

**MR. MACKENZIE.**

high grades, because, under the circumstances of the country, it may be advisable to adopt a road which would have grades somewhat excessive, if we could construct that road at a very much less cost than those capable of providing very favourable grades at a high cost. This is, of course, an element in the calculations. On the other hand, we must remember if the grades are excessive, the expense of working the railroad will show an enormous increase over those with favourable gradients, and we are therefore driven to the consideration of two questions. The first is on what line we can obtain the lowest grades. The cost of construction westward to the boundary of Columbia on the Yellowhead Pass is, of course, the same for all lines, as they traverse the same country to the east. But from that point westerly to the ocean the distances are different, the works are different, and the grades are different on the two competing routes. Mr. Fleming estimated the construction of the railway which would follow the common line of the Bute Inlet route to a point on the Blackwater Valley, about the middle of the Chilicotin Plains, and passing that point sharp to the westward of Dean Inlet, at nearly \$29,000,000. This also being a shorter line by five miles than that to Burrard Inlet. The cost to Burrard Inlet would be \$35,000,000, and the estimate the cost to Bute Inlet of following the same route to the point I have indicated in the Blackwater Valley, is \$33,000,000. The cost of the routes then will stand in the following order:—No. 8, to Dean Inlet, \$29,000,000; No. 2, to Burrard Inlet, \$35,000,000; the mileage on the respective routes being: 488 from the Columbia boundary in the Rocky Mountains to the sea for the Dean Inlet route; 493 miles to Port Moody by the Burrard Inlet route; and 546 miles by the Bute Inlet route to Waddington Harbour. In the report presented to the House a week ago there is a very careful statement of the grades from the summit of the Yellowhead Pass to all those routes. As Mr. Fleming properly remarks, we may leave Dean Inlet out of the question, because, with the na-

tural difficulties which meet us after reaching salt water, it would be almost impossible to utilize it. We find it is beset with ice during a considerable portion of the winter, while Milbank Sound, by which the ocean would be reached, is a dangerous and difficult place to navigate, and the services of powerful tugs would be required to assist sailing vessels in reaching the harbour. These and other considerations induced us to abandon that route as one, while in one sense practicable, in another sense impracticable, and which therefore ought to be set aside. We are, then, confined to the consideration of the other routes. There is a level—or what is equal to a level, less than a tenth of a foot per 100 feet—line on the Burrard Inlet route of 185 miles, against 137 miles on the Bute Inlet route; over 10 to 20, 11 miles on the Burrard Inlet route, and 19 miles on the Bute Inlet; over 20 to 30, 15 miles on the Burrard Inlet, 21 miles on the Bute Inlet; over 30 to 40, 17 miles on the Burrard Inlet, 16 miles on the Bute Inlet; over 40 to 50—in other words, not a half foot to the hundred feet—30 miles on the Burrard Inlet, 23 miles on the Bute Inlet; from 50 to 60, 12 miles on the Burrard Inlet, 11 miles on the Bute Inlet; from 70 to 80—what we may call three-fourths of a foot per 100 feet—33 miles on the Burrard Inlet route, 25 on the Bute Inlet route; from 80 to 100, or under 52.80 per mile, 66 miles on the Burrard Inlet route, 80 miles on the Bute Inlet route; from 1 foot to 1½ feet per 100 feet there is none at all on the Burrard Inlet route, the maximum there being 1 in 100; there are 5.30 on the the Bute Inlet route; from 1½ to 1¾ per mile, none on the Burrard Inlet route, and 3.84 on the Bute Inlet route; from 1.75 to 2 feet, none on the Burrard Inlet route, and 12.37 miles on the Bute Inlet route. I think if I recollect aright, coming to exact statements, there is somewhere about ten or eleven miles with about 104 to 105 feet to the mile on one route, while on the other there are none in excess of 52.80 feet to the mile. This is ascending eastwards. Ascending westward the proportion is very much the same. I will not go over the details and the small figures, but simply say that there

are 27 miles of an ascent of between .80 and 1, or I may say, in order that I may be reported correctly,  $27\frac{3}{4}$  miles from .80 1 foot per 100 by the Burrard Inlet route, and 52 on the Bute Inlet route. So far the comparison is clearly very much in favour of the Burrard Inlet route as to grades. Then the question arises in what distance those grades occur, because while a short grade of a sharp character would be injurious to a route if the engine is unable to maintain its momentum until it reaches the summit, the difficulty increases proportionately in long reaches of grade, as the engine must lose power after starting at the bottom of the hill. In the Fraser River route Mr. Cambie informed us that the profile is singularly undulating, that is, that even the higher grades on that route occur at long intervals, and with level or nearly level reaches between them. This gives a very great advantage in that respect over the route by Bute Inlet. Now, the question arises, after the disposal of the grades, as to the curvature of the several lines. The curvature will be found laid out in Mr. Cambie's report on page 34, from which it will be seen that there is, of straight line on the Burrard Inlet route, 285 miles, and 328 miles on the Bute Inlet route, being as nearly as possible the same proportion. The percentage of straight line on the Burrard Inlet route is about 58, and on the other a little over 60, while the longest curves are pretty much in the same proportion, excepting a radius of 14.33 to 11.46, that is about four to five degrees. There is a larger amount of that curvature on the Burrard Inlet than the Bute Inlet route, the relative distance being 36 miles against 22 miles. There are some curves sharper on the Burrard Inlet route than any to be found on the Bute Inlet route, there being a quarter of a mile with a radius between 955 feet and 819 feet, and a very small portion of a mile with a radius between 819 and 716 feet. If I recollect aright, the shortest radius on any curve of the Intercolonial Railway is about 700 feet. It occurs not far from the city of Halifax, and is, I find on reference, somewhat under 700 feet. This, then, is the shortest curve upon the Burrard

Inlet route. Although there is no curve quite so short on the other, still, if there be only a short distance of this curve, it is a matter of little importance. The entire percentage of curves on both lines is, on the Burrard Inlet, 42.10; on the Bute Inlet, 39.76—showing the difference to be somewhat in favour of Bute Inlet. There is another point of great importance in connection with grades and curves. A high grade in a perfectly straight line is not nearly so dangerous an element or so difficult to encounter as where a high grade and a sharp curve are combined. Mr. Cambie informs us in his report that this occurred on the Burrard Inlet route where the route is either level or the grade low, while the reverse is the case to a considerable extent on the other lines. Now, Sir, as to the cost of construction, various estimates will, of course, be made by parties according to the extent of their actual knowledge of the country, aided, no doubt, by their predilections either one way or the other. The Government, as a matter of course, come to the consideration of the question with a mind entirely unbiassed by partisan opinions on either side, and we depend, therefore, on the accuracy of the estimates made by the engineers of the Department, when they all agree, and when they do not, we have to depend more or less on our knowledge of circumstances which would lead us to any preference for one or the other. The estimates which Mr. Smith forms is as follows: Through the Yellowhead Pass, by the Rivers Thompson and Fraser to Port Moody, Burrard Inlet, \$36,500,000, and if carried to English Bay, some fifteen miles further, \$37,100,000. From the Yellowhead Pass to Bute Inlet he estimates the cost at \$34,000,000, or  $2\frac{1}{2}$  millions less by the Bute Inlet route than by the Lower Fraser route. Mr. Cambie, on the other hand, makes the calculation in a different way. He estimates that the easy access by the Fraser River into the country, with the use of the magnificent roads constructed by the Columbian Government, and passing through a country which is more or less inhabited and productive of cattle and cereals on a plateau between the Cascades and the Rocky



Mountains, will lessen the cost of this road in construction, as well as also reduce the cost of materials. From actual calculations he estimates the exact cost to Coal Harbour or English Bay at \$32,000,000, while he estimates the cost to Waddington Harbour at \$33,000,000—deducting a certain amount for the percentage I have alluded to as being claimed by him as a fair allowance for greater ease of construction, and his estimate of the cost to Port Moody is \$31,000,000, as against \$33,000,000 to reach Waddington Harbour. These calculations are all, of course, to some extent conjectural, that is, they all assume that the contrasts would be taken at the fixed price which they use in applying the prices to quantities to make up the figures. These prices may be greater or less, but the quantities will remain practically the same. It is very noticeable, too, that none of the engineers under Mr. Fleming make any appreciable difference in his original calculations after visiting the country. We may, therefore, assume the figures to be proportionally about the same as they were placed by Mr. Fleming when he estimated a difference of some \$2,000,000 in favour of the Bute Inlet route, but making no difference at all for the greater facility of obtaining supplies by the other route. Now, Sir, I propose to direct attention for a moment to the mileage by the several routes, by which it is assumed it would be absolutely necessary to reach some harbour on Vancouver's Island on the outer side as an ocean harbour. If the northern route is adopted, Waddington Harbour can in no sense be considered as a Pacific terminus. But the late Government, acting on this belief, passed an Order in Council selecting Esquimalt as the harbour to be reached. Of course, the Government at present does not feel itself in any way bound to follow this conclusion unless it is found to be in the public interest to do so. In order to reach Esquimalt we have to travel over the following distances: From Yellowhead Pass to Waddington Harbour, 546 miles; from Waddington Harbour to what is known as Frederick Arm—that is, to the port where the ferry has to be taken to Otter Cove, on

the island—51 miles, making a total to what may be called the real harbour to be reached at Frederick Arm of 597 miles. From this point there is a ferry of fifteen miles to the island, making a total to the island of 612 miles. But after reaching the island there remains to be constructed 183 miles of railroad to reach Esquimalt—in other words, the distance to Esquimalt from the Yellowhead Pass is 795 miles. Now, there are two other harbours, Quatsino and Albernio, which might be made available, but which are perhaps not in one sense as good or as accessible as Esquimalt. But both furnish abundant accommodation for ocean traffic. The distance, of course, to the island is the same in both cases—that is, 612 miles. The distance from Otter Cove on the island to Albernio Canal is 93 miles, from Otter Cove to Quatsino 107 miles. The relative distances of the three harbours on Vancouver Island which are suitable for ocean *termini* from Yellowhead Pass are as follows:—To Albernio Canal, 705 miles; to Quatsino 719 miles; and to Esquimalt, 795 miles. If we take the mileage on the other route we find that the length to Burrard Inlet is 493 miles, but if carried forward to English Bay it would be thirteen miles more. The Burrard Inlet harbours may fairly be considered, ocean ports, and the only objection which has been raised to the adoption of that place as the ocean terminus to the railway, is in the fact that in order to reach the open sea we have to pass within a distance not exceeding two or two and a half miles from the shores of some of the islands which are in the possession of the United States Government. From a military point of view, this would, of course, have more or less weight. Indeed, it would be possible, in time of war, for the traffic of the road to reach the island by steamer from English Bay to Nanaimo, a distance of 40 to 45 miles. Or vessels might, by taking the tide and being towed part of the way, find access to the ocean through the straits northwards and past the head of Bute Inlet. I am not at present discussing the question as to what importance should be attached to the merely military idea, further than to say that the control of the waters of

the ocean there must be held, not by any island or any batteries upon an island, but by ships of war owned by both nations. And it is, perhaps, not an element of very great consideration in the determination of the proper terminus of a commercial route that we should consider the importance of the military idea as one which would overbalance the commercial. It would be possible, in after years, if it were found desirable to do so, assuming that the Fraser River route is adopted, to reach the ocean at another point, which would set aside all military considerations, and meet the views of the most extreme people holding the views as to the military importance of the question I have referred to. We have then to consider other matters. We have to consider in connection with the distances to be traversed, so far as ocean traffic is concerned, where we are to get that traffic from.

**SIR JOHN A. MACDONALD:** Another objection expressed to the Burrard Inlet route is its vicinity to the United States, and the facility with which railway connection could be made to a harbour in the United States, which would take away the trade from Burrard Inlet to that country.

**MR. MACKENZIE:** I attach no value at all to that, for the simple reason that if our road furnishes a better highway for traffic eastwards than theirs, I do not think we should object to getting a large amount of United States traffic on our road. If we reached a point where there is no traffic, except what would be created, it would be a very long time indeed before we succeeded in making the road answer the purposes of a commercial road. I am aware, of course, of the political idea that this road is not to be built exclusively for commercial purposes. But we would ill represent the people of the Dominion generally, if we were to set aside all questions of payment and all questions of cost in considering questions of route. I am sure the bulk of the people who have to bear the taxation for the construction of this road, will demand from any Government a strict account of their stewardship, if they select the route on the principle that that con-

sideration is not one of a governing character. I observe that Sir Edward Selby Smyth does not attach very much importance to the question of the vicinity of the United States boundary, while the report of last year, and the report of this year, both show that the naval officers, with singular unanimity, decided in favour of Burrard Inlet, with that single drawback to which I have referred. We have to consider another matter in reference to this terminus. We are not bound by any national consideration entered into with British Columbia to reach any particular point on the ocean, but simply the coast. It is, therefore, perfectly free for the Government and this Parliament to select any point which reaches the Pacific Ocean, and it is, in my opinion, a matter of very great importance that we should reach the ocean by a route which will not only answer the political purposes, but which presents advantages of another kind. I find that Mr. Cambie estimates the cost of maintenance upon the two routes in the following way:—He takes the distances from Yellow Head Summit and contrasts the annual expenditure which would be necessary for maintaining a line on each of them, carrying a traffic equal to that which was carried over the Intercolonial Railway last year. Estimating the working expenses and renewals of that road at \$2,327 per mile per annum, he shows that it would cause an expenditure of \$123,000 per annum, if the line terminated even at Waddington Harbour, in excess of that required to Port Moody. And if the line extended to Albernio, the nearest harbour on the island, it would cost \$483,000 in excess of the amount required to work the Burrard Inlet route. And if carried to Esquimalt it would cost \$693,000 per annum in excess of that required in working the Burrard Inlet route. Now, these are extremely important considerations. But that, I fear, is not all. Indeed, I know it is not all, because the trains, which would pass over the southern route, would be very much heavier than those which could pass over the northern route. There is this difference, however, that all the heavy grades on the Burrard Inlet

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route occur near the sea, and it would be quite possible to have a powerful engine as an auxiliary engine to assist all regular trains to the summit level. And once on the summit level the trains on both routes would be on a par, because the grades from that point westward on the one are very much the same as on the other. That is done on some railways where high grades are absolutely necessary to overcome the natural contour of the country, and it could be done here also. But even that involves a considerable expense—but I think an expense considerably less than that which has been calculated as a natural incident to so high a grade as compared with the other route. The calculations, however, as to mileage cannot possibly be overcome. You have so many miles to traverse. It is 249 miles longer from Yellow Head Pass to Esquimalt by Port Waddington than it is by Port Moody on Burrard Inlet. Besides, there is the inconvenience of fifteen miles ferry, assuming the road to be built to Frederick Arm. If the road is not built to Frederick Arm there are 66 miles to ferry, and the passage of trains on so long a reach of water, I think, is practically out of the question, so that the entire freight and passengers would have to be transferred at Otter Cove into ordinary freight and passenger boats to be carried to Waddington Harbour. Or, if not, it would be necessary to build a road from Waddington to Frederick Arm, and then at enormous cost build bridges across to the mainland. Mr. Smith estimates the cost of the bridges and railway on the route to Esquimalt at \$27,500,000.

MR. DECOSMOS: I would like to know from the Minister of Public Works why the report of the Chief Engineer with regard to Waddington Harbour was not delivered to the House, I mean as to the expenditure necessary to reach Vancouver Island from Waddington Harbour. The cost of the bridging has, I believe, been magnified to an enormous extent. I understand the engineers have placed a document in the hands of the Government showing that there is no necessity for bridging at all.

MR. MACKENZIE: Of course, if the ferry is used there will be no necessity for bridging, but if not, there must be a necessity for bridging. There are just the two ways of crossing, and I have been speaking of both. As to Mr. Smith's report, in which he refers to the cost as \$27,500,000, he was unable to find it himself some weeks ago when we were looking for it. I have not got it, but I know that was the figure. Mr. Fleming says that the cost of extending the railway to Esquimalt would greatly exceed that of taking it to Burrard Inlet. There are no sufficient data to form a proper estimate of cost, but even by leaving a gap near Valdez Islands of fifteen miles, and substituting a ferry in place of the enormous costly bridging at that locality the excess would probably reach \$15,000,000 or \$20,000,000. The cost of maintenance would be great in proportion, and the annual losses on working the extra mileage under the peculiar circumstances would be serious. These are the deliberate conclusions arrived at by Mr. Fleming, and they do not vary in any important particular as to the cost from those of Mr. Smith. The latter gentleman has strong views in favour of this central route, because it strikes the Island towards its centre, and because there is, perhaps, some advantage, if an outlet to the north was to be obtained of a good character, in reaching the ocean at the north rather than at the south. That led me, in the first instance, to favour Bute Inlet as against Burrard Inlet to a great extent, because we had to look to the ocean traffic that might be realized. If we take the distance from Yokohama as a principle Asiatic port to Yellow Head Pass by Quatsino and Otter Cove, thence to Waddington and Yellow Head Pass, we have to Quatsino 4,040 miles railroad on the island, 107 miles to Otter Cove, then there is the ferry of 15 miles, and 59 miles railway on the mainland, that is from Frederick Arm, making the distance altogether by Bute Inlet and Quatsino to Yokohama 4,644 miles. If we take the distance by Alberni, we have of ocean 4,210 miles, 93 miles of railway, on the island to Otter Cove, the same ferriage of 15 miles to Frederick Arm, and the same

distance as before on the mainland, making a total of 4,822 miles. The distance from Yokohama to Esquimalt is 4,265 miles, thence to Otter Cove 183 miles of railway, the ferry 15 miles, and 597 miles on the mainland, making the total distance 4,955 miles. To the same point *via* Burrard Inlet, from Yokohama to Esquimalt is 4,265 miles, and 68 miles of railway from Esquimalt to Nanaimo, and a ferriage of 50 miles from Nanaimo; the distance on the mainland is 493, making a total distance of 4,796 miles. The distance, therefore, would stand as follows:—From the Yellow Head Pass, 4,644 nautical miles—that is the shortest. The next is by Port Moody, or Burrard Inlet, 4,796 miles. The next is by Alberni Canal, 4,822 miles, and then by Esquimalt, 4,955 miles—showing that the distances are also in this regard very considerably against taking the road to Esquimalt, even if the Bute Inlet route were chosen. Now, Sir, the Government, in considering the question of route, have necessarily to determine on the wisdom of selecting a route which may be open to some objections, but possesses all the other advantages, and a route which has a complete freedom from some of the objections urged—I mean those of a naval and a military character—and the danger, as some consider it, of getting any traffic from the United States—for Bute Inlet would be perfectly safe in that respect—we have to choose, I say, between selecting the route to Burrard Inlet, which is open to these objections, but has all the other considerations in its favour, and the Bute Inlet route, which has none of these disadvantages, but has all the other disadvantages of serious magnitude. In the first place, the mileage is largely in excess, while the cost of construction is but very slightly reduced. In the next place we have not a harbour at all of the same capacity at Fort Wadlington as we have at Burrard Inlet. Then the access to the ocean is difficult, either north or south, and subject to conditions of considerable importance, either as respects the tides or necessary towage which would have to be undertaken. The cost of operation is also very materially reduced by

Burrard Inlet as compared with the other. Among other considerations which should guide us, as I stated in my remarks a few weeks ago when speaking of the route west of Red River, if we can serve local purposes as well by adopting a particular route or even by a little sacrifice and without any material increase in mileage and cost, I think we are bound to meet these local views. I have no doubt of this, that the route by Bute Inlet and the North Fraser River would, perhaps, meet with such favour from the mass of the people in the Cariboo and Omineca districts—clearly in the Omineca district, where there is a considerable mining population, and where we may hope for a large increase within a few years. That route, I say, would meet the conditions of those people very much better than the route by Burrard Inlet; but at the same time the considerations which I have adverted to are of such serious moment that I am not able personally to see, nor is the Government able to see, that they could be lightly set aside, when we consider the respective merits of the two routes. In all that relates to cost and cheapness in working the question of grade is so materially involved in the southern route that the question of working must necessarily be so. The mileage is much lower, and there are only two disadvantages; that of, perhaps a slight increase in cost of construction, and that of passing near the boundary of the United States. We have also to consider the other proposition—which is favoured very much, as will be seen, by Mr. Smith—whether it would not be better to change the route east of the Rocky Mountains, making a large digression northwards from the vicinity of Livingstone so as to pass by Slave Lake and reach the great valley of the Peace River near where the Smoky River falls into that stream, and passing thence to Pine River Pass proceed, after crossing the Parsnip River, by McLeod Lake and Canoe River to the low divide at a point near the Fraser River to Giscome Portage. It is a somewhat curious circumstance connected with this route that the real watershed of the continent occurs almost on the banks of the Fraser after

this river has flowed for 200 miles towards the Pacific Ocean, there being only fifteen miles, if I recollect aright, between the Fraser River and Summit Lake, one of the sources of Canoe River which flows northward into McLeod Lake. Now, I stated, on a former occasion, that if there were no political considerations governing the action of the Government, and these political reasons referred to our obligations with the British Columbia Government and people to proceed as fast as possible—or, as the hon. member for Vancouver (Mr. Bunster) says, two or three times every day “proceed immediately”—if there were no considerations of that kind to govern our action, it might be, I have no doubt it would be, desirable to spend another two years exploring the country, which is yet comparatively unknown. But we must remember, supposing all the favourable features to present themselves on this Pine River Pass route which Mr. Smith anticipates, the mileage would be considerably increased—no less than 50 or 60 miles in any case, and it might be much more, and from what we know of the character of the Pass there in the Rocky Mountains, and of the country immediately to the east, it would be increased to probably 100 miles. This is a serious addition to make to the mileage of a road across the continent, and if we are ever to compete successfully for the transcontinental traffic, we must be sure that we have the most favourable route as to distance. Those distances from the Pacific Ocean to the Atlantic are practically as follows:—By the Union Pacific from San Francisco to New York by the Michigan Central, Great Western, and New York Central the distance is 3,363 miles; from New Westminster to Montreal by the Canada Pacific, the line to Montreal by the Ottawa, it is 2,730 miles, or a difference in favour of the Canadian route of 623 miles. From New Westminster to New York by the Canada Pacific, the St. Lawrence and Ottawa, Ogdensburg and Rome and New York Central to New York, the distance is 3,058 miles, or 305 in favour of the Canadian line. From New Westminster to Montreal by the Can-

adian Pacific, Montreal and Ottawa, the distance is 2,739 miles; and by the Union Pacific, Michigan Central, and Grand Trunk, it is 3,251 miles, showing a difference by the most favourable Canadian route at present existing of 521 miles. That is the most favourable route from the western boundary of Ontario. Then we have from New Westminster to Boston by the Canadian Pacific to Montreal, and from Montreal to Boston, a distance of 3,087 miles, while the best United States line is 3,242 miles, showing a difference in our favour to Boston of 335 miles. Now, Sir, these distances I have given show that by the route which has been described in this early report of Mr. Fleming we have 305 miles in our favour in going to New York. That difference of 305 miles, if we were starting from Esquimalt, would be as nearly as possible equalled. There would be no difference between Esquimalt and New York by that line. This shows the importance of the mileage when we consider the ultimate traffic which we may fairly hope to obtain a share of passing over the Pacific roads. The governing considerations then, Sir, are all in favour, as it appears to me, of adopting the views of the Chief Engineer in respect to this line. The Government have not at the moment formally resolved upon the adoption of this line, but it is the opinion of the Government that the considerations to which I have alluded in these remarks are such as must govern their action if they are to attend to this matter purely in the public interest. I am quite aware that if we came to that decision, it is a decision which will not be concurred in by the bulk of the population residing on Vancouver Island—

**MR. BUNSTER:** Hear, hear.

**MR. MACKENZIE:** But there are other considerations besides those which I have mentioned which press very materially upon us in considering the determination of the route. I think if we go to Waddington Harbour, and begin at a place where no person lives, if we traverse a country without population, we have no means of beginning except with the greatest difficulty at but the one point next the

ocean. We can commence, on the other hand, at Yale, on the Fraser River, which is 90 miles further within the interior than Port Moody, and from Yale to Kamloops, Mr. Smith informs us, the distance is 125 miles. These 125 miles cover the most difficult portion of the route to be traversed.

**MR. DECOSMOS:** That is a mistake. From Yale to Kamloops is much more than 125 miles.

**MR. MACKENZIE:** Well, I am not, of course, acquainted with the exact locality, but 125 miles is the distance which the engineer mentions to me as sufficient to reach the navigable waters near Kamloops.

**MR. DECOSMOS:** That is another thing; that is correct.

**MR. MACKENZIE:** That is the point I wish to make, and I am quite certain I am accurate on that point. I am informed that east of that point there is a navigation on the North Thompson of 96 miles, so that by commencing at Yale and building 125 miles we practically get into the very heart of the country for the time being; and, although no railway terminus can be located permanently at Yale, it will suffice to meet the wants of the country in the meantime, and our commencement of the road at that point will also meet the obligations we have incurred with the Province. The distance from the eastern end of that navigation—from the end of that 95 miles stretch to the Yellow Head Pass—is 182 miles, so that by constructing 307 miles of railway and using the water in the meantime to Yale, we get communication to the extent of 493 miles, while by the other route, on which we would have no navigation, we could not possibly reach that point without building at once, and before any portion of the road could be used, 546 miles going eastward. These are the statements I have to make in respect to the position which the matter occupies at the present time. I have only further to say as respects the cost of building the road which we have undertaken—and in connection with it I desire to refer to what I laid down as the policy

of the Government on previous occasions—as the House is aware, we obtained permission from time to time from Parliament to let out certain contracts from Thunder Bay westward to Selkirk. Our object was to build some portion of the road necessary to obtain an entrance into the prairie country, in advance of the completion of the surveys over the whole continent, because it was tolerably clear in 1874, that three or four years, at least, would be required to complete our exploratory and instrumental surveys, and if we lay idle entirely during that entire period we would suffer by being so late in getting into the country which we hoped would gradually be filled up by an immigrant population. Mr. Fleming, in his report, pointed out that there was no hope of that railway ever paying its working expenses, until at least three millions of people were thrown into the territory west of Red River, and he pointed out also that if the road were built it would require eight millions of dollars a year to pay the cost of working it. Then, Sir, the Act of 1874 provided for the manner of giving out the contracts for this road. If we gave them out it provided that we should give \$10,000 per mile in cash, and 20,000 acres of land as the work progressed. But we proposed, in submitting those contracts to Parliament for this portion to the west of Thunder Bay, to proceed to execute as much work as we could on that section until the surveys were all completed, and when the contracts were let for the whole distance across the continent, we should let the amount expended on these 228 be charged against the contractor as part of \$10,000 in cash which he would be entitled to obtain for the construction per mile. I was not able at the time to anticipate with any accuracy what the cost would be of building this part of the road, but, on compiling a statement, we find that the cost is very nearly what I will now state. The 30 miles from Fort William to Shebandowan cost nearly \$300,000. The contract for the next section of 86 miles, known as Contract 25, embraced the complete work of this 86 miles, and also the track laying and ballasting of No. 13, and was taken for

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\$1,037,000. Contract 14, that is 76 or 77 miles from Red River eastward, was taken at \$420,000. In that part of the country some unexpected difficulties were encountered. Morasses had to be crossed, one in particular several miles in width, and seventeen or eighteen feet deep, having to be filled up in the centre. The excessive cost of doing this, and of draining these morasses, and building the road to the additional height required in the shape of embankments, will materially increase the cost of this portion, so that it will probably reach not far from \$500,000. Contract No. 15, for 31½ miles next Rat Portage, was let for \$1,600,000. The cost of the rails laid down on the road was about \$1,385,000. The rolling stock at \$2,000 per mile will amount to about \$500,000; the amount required for right of way and allowance for buildings, about \$120,000; the total reaching five and three-quarter millions for 228 miles. That is an average cost of somewhere about \$25,000 per mile—not an excessive cost, when we consider the character of the country traversed. It is true that in one respect that country is comparatively easy. The cost of bridging on the Intercolonial reached an average of \$8,721 per mile, while the cost of bridging upon the several contracts between Thunder Bay and Red River is as follows:—On contract No. 13, the principle bridge being that across the Kaministiquia, \$2,342 per mile. The bridges on that section are all wooden. On contract No. 14, the 76 miles east of Red River, \$829 per mile. On contract No. 15, 36 miles, \$10,620 per mile, including much very heavy trestle work which cannot be called bridging. On No. 25, about 80 miles, \$1,847 per mile. Now, I have asked the Engineer as to the comparative cost of iron and wooden structures for those bridges, and at the low price iron had reached at present he estimates that it would be somewhere between fifty and one hundred per cent. more than the wood, so that the cost of bridging per mile, if they were precisely of the same character as those on the Intercolonial Railway, would be trivial in comparison. The reason for this is obvious. The Intercolonial, in travers-

ing the country, crosses its valleys instead of running parallel to rivers, and crosses streams which fall into the Bay of Chaleur and the Straits of Northumberland. The bridging there is consequently of the most excessive character, perhaps, to be encountered anywhere. But here, by following the natural course of the water, and taking some care and exercising prudence in examining the country before the road is located, such works are avoided. In the part west of Keewatin there are comparatively few rivers, and little bridging is required. The cost of the road, therefore, may fairly be estimated between Thunder Bay and Selkirk, taking what has to be done with what is done, as not probably to exceed \$30,000 to \$32,000 per mile. I give that, however, wholly as my own calculation, for which the engineers are in no way responsible. The average amount of the four contracts in progress is, as I have said, about \$25,000, but the amount on one particular contract, the last one let, the 36½ miles west of Rat Portage, will average some \$44,000 per mile without cost of rails, while on 70 to 80 miles east of that the work will be quite as heavy. Mr. Fleming's original estimate was nearly fifteen millions from Thunder Bay to Selkirk, and there is no doubt whatever that the ultimate cost will be considerably within his calculations. We may, therefore, fairly assume, if his calculations have turned out to be tolerably accurate, or somewhat in excess of realized facts in that somewhat difficult country which was so little known at the time he made his estimates, that they will not be largely exceeded in the country west of Red River. I have to say, in conclusion, that nothing has given myself and the Government more concern than the matters connected with the Pacific Railway have given. We are alive to this consideration; that it is of vast importance to the country that this road should be built as soon as the country is able to do it without imposing burdens upon the present ratepayers, which would be intolerable. But I do not think anything would justify the Government in imposing a serious taxation for the purpose of even accomplishing this.

On the other hand, it is tolerably evident that the wealth of the country will be much more rapidly increased if we are able to throw a large population into those hitherto deserted plains which contain so much land fit for habitation, and which have been wholly unproductive in the commercial interests of our country. No one, unless he has experienced the want of railways, can estimate the advantages which railways bestow. Those who lived in the western part of Ontario thirty or forty years ago, as some of us did, and remember the long journeys which had to be made in order to reach any place where trade could be done, alone can appreciate the immense advantages which railway communication has conferred on this country. Even on the Intercolonial Railway, although it is built on a route of which I did not then and do not now personally approve, which I believed to be a mistake at first, and which I believe now to have been a mistake—even that road is of the greatest possible advantage to this country in almost every sense, as a commercial road, as a national undertaking which might have to be used in times of danger, and as a road connecting together the people of all the Provinces and infusing a unity of feeling which cannot be over-estimated in considering what is essential to the growth of the nation and the establishment of a true national feeling. And so with regard to this western and more gigantic work—a work which cannot be estimated unless we have given some thought to it. Such is its magnitude—a road which is four times the length of the Grand Trunk from Montreal to Sarnia, which is five times the length of the road from Edinburgh to London, which traverses our whole territory—nothing can possibly exceed the importance that is to be attached to the building of such a gigantic work, either as regards the ultimate prosperity of the country or its bearing upon our several relations to each other in the united Provinces. But we determined, in passing the Railway Act of 1874, that we should strictly confine ourselves to the terms of the resolution which had been twice previously affirmed by Parlia-

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ment: that in the construction of this road we should not consent to an increase of the taxation of the people for that particular purpose; because, however important that work may be, and none estimates its importance more highly than I do, it is not the only public work in this country. There are other works of magnitude which have to be attended to in a country like ours, where initial difficulties present themselves on every side, where new territories have to be opened almost daily, where new interests have created new wants, and where the revenues of the Local Governments and the revenues of the General Government are taxed more than sufficiently in order to keep pace with the requirements of the country. Under these circumstances we must beware how we venture on a policy of extreme adventure and extravagance, which might press too heavily on our commercial interests and our powers of sustaining taxation. I think, however, it is quite clear to everyone that we are bound to do something, and to do that something in the best possible way according to the light that we have. Now, the Government do not desire in any matter affecting the route to shield themselves, as I have been accused of doing sometimes, behind the opinions of the engineers of my Department; but it would be absurd to employ capable and scientific men, if a company of laymen, as regards engineering matters, should undertake to override their opinions and views, except where matters of public or national policy would naturally set aside all mere technical considerations, and confine us to a course with which engineers as engineers have nothing to do. I do not wish to throw the slightest responsibility upon those officers, except that which they must assume of advising on engineering questions. Whatever we do, we do it undoubtedly after mature consideration of the views presented by the engineers, which we cannot set aside; but it is a gratification for me to be able to say that every step almost that we have taken in this gigantic enterprise has been taken with the concurrence of the chief engineer of the undertaking. We have so seldom differed in our opinions, even in



matters of policy, upon any course to be pursued in reference to this gigantic work, that I may fairly claim to have acted in entire harmony with his office throughout. In other words, the policy of the Government and the technical knowledge of the Engineer have so far chimed together so well that there has been no jarring, and, although at present some of our staff entertain opinions different from those entertained by the Chief Engineer, the Government must of necessity adhere to the policy which seems to be borne out by such facts as they have presented to us. Nothing more occurs to me at the moment as necessary to be said in this matter, although it may be necessary for me at a future stage of the debate to make some remarks in reply to any questions which may be raised, and may necessitate further observations on my part.

## SUPPLY.

## XII. PUBLIC WORKS AND BUILDINGS CHARGEABLE TO CAPITAL.

House then again *resolved* itself into Committee of Supply.

(In the Committee.)

*Railways.*

79. Intercolonial.....\$20,000

MR. MACKENZIE said that this was to meet expenditures which had to be incurred in connection with the closing of some of the contracts. They owed some contractors balances which the latter refused to accept, and some suits were at present pending for which they had to provide. This was simply to meet the cases unsettled.

SIR JOHN A. MACDONALD: Will it meet all the expenses of arbitration?

MR. MACKENZIE said he thought it would. Of course it depended upon the judgment of the Court. Duncan McDonald's case was still pending; all the others, he believed, were either withdrawn or had not been proceeded with. Mr. Murphy had a claim, but had not yet commenced the action; it was for \$5,000 to \$6,000; but he disputed the measurement and settlement with the engineer. Then there

was a small sum due the Fairbairn Engineering Company, which had made a claim against the Government on account of delay and of the rise in prices of iron. The rise in prices, they of course, declined. The firm was now in liquidation. There might be a small claim due for delay, but that was at present pending. A number of thousands of dollars—\$7,000 or \$8,000—was still due, Mr. McDonald, who refused to accept any settlement: but they held a judgment against Mr. McDonald for non-insurance of a building rented from the Government, and this covered a portion of the amount due.

MR. LANGEVIN said there was the McGreevy case also pending.

MR. MACKENZIE: Yes; it has to come on for a hearing yet.

MR. LANGEVIN: I think that the hon gentlemen will see that there are other cases. Will this sum of \$20,000 be sufficient during the year?

MR. MACKENZIE: We expect so.

*Vote agreed to.*

80. Intercolonial extension into Halifax \$20,000

MR. MACKENZIE said that this vote was taken last year to meet the cost of moving the Imperial magazine necessary to enable them to get through the Government reservations in front of the Admiralty House; and they required a new magazine to be built of much larger proportions a mile or two out of town, with certain conditions that he considered altogether out of proportion to the value of what this Government had taken; and the question was at the present moment in dispute. This vote was to cover what they had to do.

MR. LANGEVIN: Is the extension completed and all the works?

MR. MACKENZIE: Yes; the wharf at Richmond may require strengthening to some extent, however, on the outside. It was built originally in large square cribs, and they were built upon a sloping rock; and the result was that, being detached from each other, they canted over seaward. It has had to be strained up and laid with

stones, and connected together, and it is now in a tolerably safe condition. I refer to the old wharf.

*Vote agreed to.*

81. Intercolonial to deep water at St. John..... \$100,000

MR. MACKENZIE: This is simply to defray the expenses of the contract with reference to Ballast wharf entered into 1½ years ago.

MR. LANGEVIN: In what condition is that work now?

MR. MACKENZIE said that it was progressing very satisfactorily. He was not able to lay his hand on the exact expenditure on this work at the present moment, but he thought it had been about \$120,000. The contract altogether, he recollected, was for about \$274,000. Nearly three years were given for its completion from the first, and it began, he thought, in the autumn of 1876. They had kept one part of the work in their own hands. The two large dredges they had could not work in any of their other harbours, owing to the ice in winter; and so they undertook to do the dredging at this point, and had kept these dredges at work during the last two years dredging out a site for the dock. The tide here rose about 30 feet, and although there was water enough at high water at the extreme end seaward of the Dock, it was dry at low water. They had taken the bottom out to a depth sufficient to give 26 feet of water at all stages of the tide. They had done this in the winter, and the contractors had followed with the wood-work as soon as they had the bottom ready, in this way the Government utilized their crews and their dredges when they could not be used elsewhere.

*Vote agreed to.*

83. Prince Edward Island Railway.. \$49,009

MR. MACKENZIE said that this vote was for expenditure they were forced to make at Souris. The Island road terminated in a sand pit, and the station was built where it was totally inaccessible. It reached a point of

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the harbour where there was at no time more than ten feet of water. The large breakwater there was built on the other side of the harbour seaward, and it sheltered the harbour where they had the water deep enough for vessels drawing from 22 to 25 feet, and it was proposed to remove the station from this place. This had become a necessity. It was the most unsuitable place imaginable; and how the Island Government come to locate the station there was a mystery to every person. They proposed to make a detour around the town and reach the bay where there was deep water, and the estimate of the engineer of the road to accomplish this purpose was somewhere about \$36,000, for the grading, bridging and other works of a permanent character, and the wharf inside the breakwater. The additional sum, of course, would be required for station duties, and purposes of that sort; \$49,000 would cover the whole cost.

SIR JOHN A. MACDONALD: Will it be finished in a year?

MR. MACKENZIE: Yes, easily.

MR. MITCHELL: Who is the engineer?

MR. MACKENZIE: Mr. Cunningham. He has charge of the road; I visited the place myself and went over the Island, so that I am able to speak from my own personal observation of the whole matter. Last year, I examined into the matter carefully with the engineer, and into the necessity for it. The inhabitants of the town are very anxious that we should build it along the shores of the sea. They are formed of a sort of precipitate cliff of red sandstone, and to carry out that scheme would certainly involve the cost of from \$50,000 to \$60,000 more. We abandon about a quarter of a mile of the old road.

*Vote agreed to.*

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

## After Recess.

82. Pacific—Fort William to Sunshine Creek.....	\$	5,500	
do Sunshine Creek to English River		214,000	
do Rat Portage to Cross Lake.....	1,036,000		
do Cross Lake to Red River.....		52,500	
do Telegraph Lines and Roadway...		164,700	
do Fort Frances Lock.....		10,000	
do Main Land British Columbia...		500,000	
do Pembina Branch		550,000	
do Spikes .....		20,000	
			\$2,549,700

MR. PLUMB said the House had heard with great interest the annual explanation of the First Minister in respect to the Canadian Pacific Railway scheme. He had no doubt the hon. gentleman had given as favourable a statement, as to the condition of that work, as could be produced from his side of the question. This was a time at which the history of the management of the Pacific Railway by the present Government might be very properly summed up. When they came into power, hon. gentlemen found a small expenditure for surveys along the line; and the First Minister had justly stated that not a very great deal was then known about the line which this road was to traverse. The prairie land which extended from Red River to the foot of the mountains was pretty well known, because it had been occupied by the Hudson Bay Company. That comprised a fourth of the whole line. The country north of Lake Superior, north of Georgian Bay and Lake Huron, and north, as well as south, of French River, was not so well understood. But they might call public attention to the fact that although that country was not at all understood, the Government, after they had passed the Pacific Railway Act by which they assumed the whole responsibility of the work, took authority to enter into a contract for the construction of a portion of the work which was not immediately pressing, and which did not seem indispensable, and inaugurated the scheme, of the proposed building of the Georgian Bay Branch. They did this in ignorance so stupend-

ous that they assigned gradients to work which could not be found, and so enabled the contractor to give up the work and withdraw the amount he had deposited as security. As soon as the Government came into power, they entirely abandoned the plan which their predecessors had adopted and assumed responsibility for an entirely different scheme. They were told by the Finance Minister that he had found enormous obligations resting upon him, among which he counted that involved in the building of the Pacific Railway. The only commitment so far as he (Mr. Plumb) could judge, which the Government up to that time had made, was the expenditure of \$30,000,000 which was to be extended over ten years, or longer, if in that time it involved additional taxation. The present Government, however, had adopted a scheme which had already involved the expenditure of almost half that amount without obtaining any adequate result, and which would involve besides a vast expenditure which no man could measure. The First Minister in one of his speeches during the last summer, made a most extraordinary statement. He said that in 1874, when the Bill was brought down by the Government for a change in the plan of building the Pacific Railway, no objection was taken, or at least no change was made in the Bill which he introduced. The following were his words:—

“When I introduced the present Pacific Railway Act it passed through the House absolutely without the alteration of a single word or syllable—without the addition of even a comma to its contents. Within the last two years that policy has been attacked with the utmost virulence. We are accused of adopting a different policy with regard to the Canada Pacific Railway from the one we adopted when we took office. Suppose we do, I am adopting the policy we are driven to from circumstances.”

If that meant anything, it meant to convey the impression that the minority of the House in 1874, did not object to the Pacific Railway scheme as introduced by the present Government. He (Mr. Plumb) remembered very well the circumstances under which that Bill passed the House at a very late hour under the pressure of the majority

which was then, as it frequently was, unwilling to hear arguments. The majority was restive, and no reasonable discussion was tolerated at that time, and the Bill was driven through. That there were objections to it could be shown by the records. He believed a gentleman was now in the House who offered an amendment to it, which was rejected; and the statement of the Premier that no objection was taken, was not borne out by the facts. The scheme of the present Government, as the First Minister said, had varied according to circumstances. When the Bill was passed he believed the Government had no special plan in view. There was, without doubt, a division in its councils. There was a half-hearted policy which dictated the movements of the Government throughout. In the first place, there seemed to be a pressure under which the Government were compelled to take up certain portions of the road. Possibly to satisfy the urgent solicitation of those who stood behind them, and sought satisfaction in contracts. Probably there were other reasons which induced the Government to take up a scheme which had involved an enormous expenditure which had committed the country to an enormous outlay, and which up to this time had been virtually useless. Not one dollar which had been expended so far upon the Pacific Railway, was likely to be productive of increased good to the country. There was not a mile of the road anywhere that was in operation in any way as to further the interests of the country. Except the amount which had been expended in surveys—and he thought an enormous proportion of that had been thrown away and wasted—not one dollar of the vast sum which stood upon the books charged to that scheme had produced any available results, and they were now four years from the time when the responsibility fell upon the present Government. He could well understand the reluctance with which the First Minister brought down his annual statement, and his desire to put it off to the last moment as every one shirked an unpleasant duty. It was evident that every year the statement was one of additional failure, and of

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the inability, the incompetency, or the unwillingness of the Government to carry out in any way, which could be advantageous to the country, the great scheme which was entrusted to their hands. In the first instance, they were told that it was absolutely necessary to make an immediate contract for the building of the Georgian Bay Branch, and the subsidizing of the Canada Central Railway. There was so much haste, in fact, that the road was put under contract without a surveyor's instrument having been laid upon it, without the slightest knowledge on the part the Government of the line to be built, or whether the plans and specifications could be carried out. What had become of that? Why, after squandering \$109,000, they were told that the contract for that road had been cancelled, and the sum deposited by the contractor as security had been returned. Of that amount \$41,000 was for surveys, which were now practically useless, because a different line was to be adopted; and \$68,000 had been paid for rails which had proved to be practically worthless—iron rails which had been bought at a higher price than steel rails could now be obtained, and a large portion of which had been wasted. Now, he understood the line was to go further north, and he did not quarrel with that, because it would take a much better route, and would go nearer to the point which Parliament had selected as the terminus of the road. The first idea, no doubt the proper one, was to build the road from Nepigon Bay west to Red River, or, at all events, to Rat Portage. If the road had taken the line from Nepigon, or the south shore of Lake Nepigon, it would have reached about 60 miles north of Fort William. There was, therefore, a waste of money in making the terminus at Kaministiquia. He knew the mouth of the river at Thunder Bay was perfectly accessible. The bay itself was intended by nature for a great outlet of commerce, and he could not understand how the season could be more severe there than on the Kaministiquia. The advantage of adopting that terminus would have been that the road would have terminated much

further to the east. However, the Kaministiquia terminus was settled for the present. A large sum of money had been expended to extend the road from Kaministiquia to Port Savanne, the point from which they had been told there was to be a departure for the great water stretches. There was no doubt that the scheme which had been so strongly insisted on by the First Minister had been abandoned. They now heard nothing about it. A large amount of money had been expended, but the First Minister said nothing about it, and from his silence they might conclude that it had been abandoned, and that the money spent upon it had been utterly wasted. From Port Savanne it was supposed to be the policy of the Government to leave a gap of 170 miles of wilderness entirely open for many years, while the road was built from Red River eastward, and to touch at Rat Portage and there to remain. The argument that was brought forward for building two ends of a road that had no centre, and no usefulness at either end; was that it would connect with the Lac des Mille Lacs, and thence with Rainy Lake along Rainy River, and so through Lake of the Woods till it struck Rat Portage, and that this would be a great line for commerce. It was very extraordinary that a contract had been made for extending the road from Port Savanne, 35 miles westward to English River, for what purpose no one had yet been able to understand. It was not pretended that there was any traffic in that region or any inducement for settlement, or the slightest excuse for spending that money. The only excuse he could find was that there were too many steel rails on hand, and that the Government desired to get rid of some of the rusting rails which were piled on the banks of the Kaministiquia. He could understand why the Government did not propose to fill up the intervening gap, why it was not desirable, at present, to send the traffic that way. It would interfere with the profits of some companies that were sending traffic by Red River, and with certain profitable contracts for the carriage of steel rails and other matters. As long as the intermediate link was not finished there would be high prices

charged for transportation down the Red River. He believed great pressure would be constantly exercised to keep that gap open and to prevent the expenditure of that money which was necessary to complete the link between English River and Rat Portage. When that link and the Pembina Branch were completed more than half the amount proposed by the late Government to be expended for the entire subsidy to the entire line would have been paid, while increasing deficits were being piled up every year. The First Minister had said that the great object of the Government was to draw population into the North-West. It was certain that a railway could not be successful unless the population of the North-West was sufficient to furnish a traffic; but, on the other hand, the country could not be built up until it had railway communication. The railway must precede and not follow population. There was no greater colonizer or emigration agent than a railway. He believed that any line could be built across the prairies for less than \$20,000 a mile, excepting the difficult portions of the road. What had been done by the present Government to obtain emigration? Was there any line through Canada by which emigrants could get into the North-West? The building of the Pembina Branch would be a step in the right direction. But the Opposition when in power had proposed the Pembina Branch as a part of the great system. They did not intend to have the country made subservient to a line of communication through another country. As if it were the determination of the Government to do everything in their power to throttle this great scheme, they had not only postponed it and avoided opening it where it would be an advantage to the public, but they had adopted a scheme which if ratified would postpone the building of the road. He believed the system of colonization roads would draw from the country the best part of the sustenance which should go to the main line. Hon. gentleman said the amount devoted to the land grant was a very small part of the public domain. He (Mr. Plumb) acknowledged that; but that was not

the point. It was not that it would exhaust the public land but that it would withdraw from the country that which ought to go to sustain the road; the traffic which ought to go to the Pacific Railway would be taken and carried to these roads. No doubt there was great force in what had been urged upon this House and the country in regard to the adoption of the present line which ran through the narrows of Lake Manitoba and took a northerly direction from Selkirk, running directly out of the range of the settlement of the country. There was no doubt it had been greatly disappointing to the settlers of Manitoba that the road had been turned in that direction; the Government had acted contrary to the interests of the pioneers of Manitoba in locating this line far beyond their reach. Even though it might be a few miles longer, say twenty-four to fifty miles longer, at the rate which it cost to run a road over that prairie country, it would be a matter of not over a million dollars, which it would be interests of the Government to expend and which would be repaid them by the rapid settlement and increase of business in the country. It was still open to the Government to consider whether it would not be to their advantage before laying down the line of road which from the evidence of the engineers would run through a country where a railway ought not to be built if any other line could be found, to throw the line further south and deflect in such a way as to pass through the fertile portions of the country. Settlements must be formed, and Manitoba westwards must be the nucleus from which other settlements would necessarily go. After four or five years consideration, there still seemed to be the same kind of doubt as to the continuance of the line in the west. They had been told that a line had been examined by the Peace River and Pine River Passes and arguments were used in favour of changing the line after it went a distance towards the mountains. Whether that would be done or not it was impossible to say. It was evident there was now no intention of absolutely deciding upon the line of road, but perhaps this was not necessary under the present condition of affairs, the road not being

pushed fast enough to make it of consequence whether one or another route was adopted for many years to come. From all the evidence that could be gathered from the reports of the engineers, from what had been stated by the hon. the First Minister and others acquainted with the subject, it was established that a great and unprecedented waste had taken place in every direction in regard to the management of the affair. Preeminently over all, with the exception, perhaps, of the steel rails, stood the telegraph contract, which was forced upon the House at the early part of the present Administration. That telegraph line was not situated on the line of the railway all through. Wherever it was not on the line it might as well not exist. It was absurd to say that if it was within even a mile of the railway it would be of any practical use. The Opposition remonstrated with the Government when the telegraph line was proposed; they asked, at least, to have it put on record that they objected to that line, that no telegraph line should be built until the line of the road was located. They were then laughed at, but nobody could now say that they were not right in their predictions. Over a million dollars had been expended on that line, the whole of which had practically been wasted. As far as the railway line was concerned, after it entered the Rocky Mountain passes, and had passed over the intervening height of land, he had nothing to say. The termination of the road there was one, of course, full of engineering difficulties. He could appreciate the trouble which it had cost and would cost the Government to decide on the line. The responsibility rested with them, and whatever conclusion they came to they would have to settle with British Columbia. Whenever the discussion came up there was always a charge made against the right hon. member for Kingston and his colleagues, that they had entered into a ridiculous, corrupt, extravagant, dissolute, nay, even, some said, infamous bargain with British Columbia to finish that road in ten years. He (Mr. Plumb) ventured to say that, at the time that contract was entered into,

there was nothing apparently more reasonable than to undertake to build a line of road like that in ten years. It was well known that one of the greatest undertakings ever carried out on the face of the earth, in respect to railway engineering, was finished within six years by private individuals, not by the Dominion, the great power of this Government, backed as it was, to a certain extent, by the Home Government, but by a few private individuals. It was not extraordinary, then, that this Government, in view of the successful completion of the Pacific Central and Union Pacific Railway, should have undertaken to build a road in ten years from the Atlantic to the Pacific, or, at least, from the River St. Lawrence to the Pacific Ocean. It was a perfectly reasonable undertaking in view of the successful completion of that gigantic work. Those who charged the late Government with undertaking to build the Canadian Pacific in ten years now kept in the background. In that arrangement there was always the condition that it should be built in such a way as not to increase the burden of taxation. That alone showed the wisdom of the policy of the right hon. member for Kingston and his late colleagues. It showed they had a due regard to the interests of the people, that they were not recklessly squandering the public money, and it must be remembered that Canada was then at the flood tide of prosperity, the public revenue was constantly increasing, and millions of dollars were being placed in public works which might properly have been used for the current expenditure; surpluses were being placed to capital account in permanent works. By the statement of the Finance Minister, it was shown that ten millions had been expended in addition to the large sum put aside for the sinking fund. It did not become the present Government, in view of the manner in which they assumed the work, to attempt to throw any responsibilities upon their predecessors, except the responsibility of having incurred the work. The present Government very wisely avoided taking the responsibility of constructing the road. What if the road was unknown? That hazard was taken in

regard to the Union Pacific; nobody pretended that engineers had plodded out the road over which the Pacific ran. The Union Pacific and the Central Pacific ran each on a different line, the one considerably further north than the other, but they were brought together at a certain point. Therefore, it was unfair on the part of hon. gentlemen opposite to constantly charge the Opposition with having made a reckless bargain, with having recklessly pledged the public faith to carry out an enterprise which would involve an expenditure of 100 to 150 million dollars. What the late Government did in that regard was eminently justified, was wise, prudent and entirely in accord with the experience of that time, with what they had seen carried out under their own observation, in view of the successful termination of the great enterprise of carrying the road from San Francisco to the Mississippi. Having said so much with regard to the original policy of plotting the Pacific Railway, he wished to state emphatically that there was now in the Public Accounts an expenditure, in regard to that scheme, amounting to one-half the cash subsidy proposed by the late Government for the whole scheme. The whole amount of work done consisted of a succession of failures; the carrying out of the work, unfortunately, he did not say designedly, but by a series of misfortunes, involved a waste, unparalleled in the history of any expenditure of public money in the whole of Canada. The Government, having settled upon Thunder Bay as the contemplated termination of the Pacific Railway, decided that the point at which the road should terminate should be the River Kaministiquia, a small stream at the north-west side of the Bay coming down from the mountains, a very rapid torrent, and subject, at its mouth, to all the easterly and south-easterly winds that sweep across the Bay, and subject to being filled up by the washing of the sand. He would not discuss the merits of the Kaministiquia Harbour which had been praised by various masters of vessels, but who, upon cross examination, were found to be in the employment of gentlemen, strong supporters of the Government,

and who held large contracts. The hon. the First Minister had said that his idea was that, having selected the Kaministiquia, the terminus of the road should be at a point near the Bay. By looking at the map, it would be found that there was a very corkscrew-looking current there through which it would be impossible to carry vessels, and that it was several miles from the mouth of the river and the present terminus. He did not think its position could have been fairly understood; it could not have been considered practicable to have that place as the terminus of the road on the Kaministiquia. Mr. Sandford Fleming, in his evidence given before the Committee last year, was asked if he selected the terminus upon the Kaministiquia, to which he replied, "I did." He (Mr. Plumb) had produced that evidence before the Committee of Public Accounts, in support of a statement he had made, and, according to the account given by a voracious journal who gave to everything a colour of his own, to be greeted with cheers and laughter. However, the laugh was turned on the other side when on turning a few pages further of the evidence, Mr. Fleming was asked, "Did you select the Fort William town plot as the terminus of the Pacific Railway?" To which the answer was: "No, the Government selected it." Mr. Fleming then went on to say that after the Government had selected the Fort William town plot as the terminus, he laid out the line of the road and took in the town plot. He (Mr. Plumb) had examined that line from the plan which had been made and found that the town plot of Fort William was a square piece of ground laid out in the wilderness containing a certain number of acres and that on the north of it was a small addition called the new town of Neebing. The line of the road, starting from a bend ten or twelve miles above, deflected considerably towards the west in order to take in the whole of the front lots of the town plot of Fort William; when it arrived at its terminus it was within a very short distance of the lower line of the town plot. It had taken in the whole of the town plot, but went very near a farm which lay just below and which offered

equal advantages for railway purposes. One would suppose, on looking at the map, that the town plot of Fort William did not offer as great advantages for the terminus as the property just below it, the front of which was somewhat to the mouth of the river. It was nearer the river, and from a common point—ten or twelve miles above was no further than to the terminus which ran through the town plot. This property below could have been bought for a very small sum, some \$75 per acre, and the amount which the Government required was about 100 acres, that would equal \$7,500, for which amount the Government would have had as good a terminus upon the river, in as good if not a better position than the one selected. The most mysterious part of the whole business was that the road was thrown at this line to run along the whole front of the town plot. According to the land which the Government took, in running through that town plot, \$7,000 had been paid indirectly to the owners for costs and to the valuers connected with it; how much more had since been paid he was unable to say. He had asked in the early part of the Session for a return of the amount paid on this item. He had asked the Government to bring down a statement, and was somewhat surprised, when he was informed by the First Minister, the other day, that the accounts and papers which had been brought before the Public Accounts Committee, and which were only a part of the papers called for, were all that would be produced. Those papers were the accounts of Mr. B. J. Brown, who was the Government Solicitor, and as some were papers connected with the valuation of the lands, Mr. Brown was appointed Solicitor for the Government; but it did not appear, from any record, that he had been instructed to instruct the valuers in respect to their duties. From the record in his own accounts, he was interested in those lands. There was an item in the account, which he said: "Having been instructed by the Government to hand over the papers, in respect to the Kaministiquia lands, or town of Fort William, in which I am interested, to Mr. Fenton, of Toronto, I did so and

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so." There was an entry in his accounts, showing he had instructions, which proved he had personal interest in the lands which he was sent out to value. It seemed to him that, in a matter of this kind, after the Government discovered that they were in the hands of a set of speculators who had laid out a town plot, almost, he might say, for the purpose of catching the Government and extorting money for the property that was perfectly valueless, if it had not been for the terminus of the road, they should certainly have sent somebody there who was not interested in this land, and who would have seen that the rights of the Government were protected. He was not aware that any instructions were given by the Solicitor, on the part of the Government, in order to protect the Government from the charges made for this land. He believed that there was a law under which, with regard to the expropriation of land for the Government, the enhanced value given to this land by the Government improvements could not be considered; and under which they had a right to assess the increased value of the land left, and to consider it in the award. He might be mistaken, but this was his construction of the Statute. They were not told by the Government that this Solicitor was instructed to apply this Act, but the valuers, he thought, had given in their evidence that they applied it, and that under it they obtained the grant of 600 acres. They paid from \$700 to \$800 an acre for land on the Kaministiquia River, in a wilderness; for lots which were merely laid out on paper, where no improvements had taken place, and on a river where a town could never have possibly grown up, except under the circumstances which stimulated the laying out and the settlement of the place. After the Government—and certainly they must have discovered it—discovered before it was too late—that this property was in the hands of speculators, who had taken it up and laid out town plots; they ought to have refused to accept the valuation made. No set of contractors carrying on their personal business would have ever thought of buying up or building

a road if they would thus have placed themselves in the power of a lot of speculators who had laid out a town plot on paper, and put it down as costing \$6,000 or \$7,000 instead of \$70 or \$80. No set of private men would ever have conducted their affairs as the Government had done under these circumstances. He charged it openly that nobody who consented to this transaction acted in the interests of the Government. It could not be so. There was no reason that he could see or that was made manifest, why this location should have been persisted in after the circumstances mentioned were known; and it was understood that after the line was established a building was thrown up by the speculators on their land and sold to the Government, which could not possibly be used for any other purpose. The thing was almost incredible. They had been laughed at in the newspapers for calling public attention to this matter, and jeered at for speaking of the Neebing hotel; but he would tell the hon. gentleman that this was a very serious matter, and one regarding which the Government would find out how very difficult it was to escape from the just condemnation of the public. He had been accused of making charges outside which he dare not repeat in the House. The First Minister had been good enough to read him a lecture in the Public Accounts Committee, and to say that he (Mr. Plumb) had conducted himself as no hon. man would regarding this matter. He did not hesitate to state here exactly what he had stated on public platforms, in this relation. He was never afraid to say to the face of any man what he would say anywhere else; and it was unfair in the First Minister, holding the position he did, to attempt to put down an independent private member in the honest discharge of his duty. This was not the only time that the hon. gentleman had attacked him in this House. The hon. gentleman, when he (Mr. Plumb) had risen in the legitimate discharge of his duty, had deliberately let loose his band against him, and attempted to bawl him down. The hon. gentleman said that on the day of the

long debate that he had taken up one quarter of the time of the House; if so it was in the legitimate discharge of his duty; but this statement was one of the pleasant exaggerations which the hon. gentleman habitually indulged in. The hon. gentleman had singled him out for his displeasure, though he had always treated the hon. gentleman with the utmost courtesy. He had, however, received very scanty courtesy in return. He had endeavoured to confine himself within the strict limits of parliamentary criticism, and had always documents to produce in support of his statements. Any contractor who managed their affairs as the Government did this Kaministiquia affair would fast go to ruin. The whole matter had been treated with a kind of disingenuousness which could not be accounted for except on the principle which was perfectly understood to be a job that could not be excused or glossed over. With regard to the whole system by which Western matters were carried out, they had a little knowledge with respect to the transaction of one of the purveyors for the North-West. They had thus seen something of the loose manner in which public money was expended. There was an endeavour made to force them to formulate unspecified charges against one of these surveyors; but they declined to do so, as they had every reason to believe that there was irregularity in the manner in which the purchases for the Government were made in the North-West. They had an examination made, but though they failed to have their principal witness brought before them, they showed, by evidence, that their suspicions were justly founded; and he very much mistook the character of the First Minister, and the manner in which the hon. gentleman viewed this evidence, if what they had done did not bring about a change in the system, for there was no doubt that the contract system, the peculiar system under which they were told that the Government made all their dealings, and the much-vaunted system of the First Minister, had been utterly set aside in dealings in the North-West, not to say anything worse. The gentleman who had been employed

there by the Government, had been in the habit of dealing personally with the men who were public contractors, and this in a way which was not at all free from suspicion. The very condition in which this gentleman was regarding these dealings rendered him powerless to look out, as he ought to have done, for the public interests; he habitually made bargains and contracts for the Government that he would not have made for himself, and if the money had come out of his own pocket. This was the testimony which they had brought out; and not only so, but there was every reason to suppose that the same loose system prevailed everywhere; and this was the loudly-vaunted Reform system of a Reform Government which came into power to change everything for the better, and to set aside the loose, corrupt and wanton extravagance of their corrupt and profligate predecessors. He trusted that the great scheme of building the Pacific Railway would be carried out, and that the hon. gentlemen from British Columbia would yet find that there would be some Government in power which would keep faith with that Province, and that in some efficient hands this great scheme would be carried to completion. He hoped that the great public domain—the capital and the gold, out of which this road was to be constructed—would yet be utilised for this purpose, and that the time would come speedily when the waste of these lands in every direction would be prevented; when some great scheme of immigration would be formed by which the teeming North-West with its fertility would be brought to bear, and sustain a large population. They could not see, from anything that had been before them in the four years in which this project had been in the hands of the present Government, any hope for the future, as long as this matter rested with them; and he could only express the earnest hope that the time was not far distant when other and more competent hands would take this great scheme in their charge, and carry it out to a successful completion.

SIR JOHN A. MACDONALD said it was rather extraordinary to vote two

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and a half millions in one sum. He saw that for \$250,000, with relation to the Intercolonial, there were three separate items. This was not according to practice.

MR. MACKENZIE said he quite agreed with the right hon. gentleman. He did not know who prepared the vote in this way. The items were sent over, in the usual way, to the financial office. They would take an informal vote on each item, and then afterwards the whole vote.

82	Pacific—Fort William to Sun-	
	shine Creek.....	\$ 5,500 00
	do Sunshine Creek to	
	English River.....	214,000 00
	do Rat Portage to Cross	
	Lake.....	1,033,000 00
	do Cross Lake to Red	
	River.....	52,500 00
	do Telegraph Lines and	
	Roadway.....	164,700 00
do Fort Frances Lock....	10,000 00	
do Main Land British		
Columbia.....	500,000 00	
do Pembina Branch.....	550,000 00	
do Spikes.....	20,000 00	
		\$2,549,700 00

SIR JOHN A. MACDONALD: Regarding the first vote, is the contract about completed?

MR. MACKENZIE: This is for the balance due on the contract.

SIR JOHN A. MACDONALD: Is it finished?

MR. MACKENZIE: Yes; long ago. The hon. gentleman will perhaps remember that this is for building 30 miles. It was originally 45, but a change of the route lessening the distance by 15 miles was made. The price was low, and the contractors took as little work as they could.

MR. LANGEVIN said he was very much pleased to hear the hon. the First Minister, before recess, renew the statement that he considered that it was a binding obligation on the Government to build the Pacific Railway. There was a time when it was the custom—he did not, perhaps, on the part of the hon. gentleman, but amongst some of his followers, especially in the Province of Quebec—to say that the Conservatives were in favour of building this road, but that they favoured another scheme. This was the great cry of

these gentlemen, who said that they would not consent to the building of this railway; it was a scheme that could not be executed, and, therefore, should be opposed; but hon. gentlemen opposite soon found, after they assumed the responsibilities of office, and became members of a Government, that they must change their policy, and assume the railway policy of their predecessors, and the obligations contracted by them; and, as the hon. the First Minister truly said, these solemn treaty obligations should be fulfilled. True, the hon. gentleman said that these obligations were contracted by the previous Government. No information had been obtained about the route. When British Columbia came over, through its delegates, to confederate with us, the route between the Pacific Province and Old Canada was not known. The intervening country, for the most part, was unknown; but they knew the land was there; but, as long as this territory belonged to Canada, they knew that they could build a road through it; and they bound themselves, with the consent of Parliament, to build the Pacific Railway; and, to use the excellent and very expressive words of the First Minister, it was the far-seeing eye of a statesman that had seen that this scheme was proper and great, and one by which they would settle the future of this great country, this great Dominion of ours, binding together the different Provinces from the east to the west, and forming an iron bond which would make of us a great and prosperous country. The hon. gentleman stated, and truly said, that before he and his colleagues came into office this enterprise had been fairly entered upon. The late Government had caused large surveying parties to be sent into the field on this and on the other side of the Rocky Mountains; and these parties had been working three years when they went out of office. In 1871, only \$30,000 was expended on this service, and for this reason: they thought that as British Columbia was coming into this Dominion, only on the 1st or 4th of July, 1871, they should not put their surveying parties into the field until that event had taken place, and the season being very short that year, only

this sum was expended, but in 1872, as many surveying parties as could be usefully employed were sent out, and \$489,000 were spent in surveying a portion of the line, and in 1873, \$561,000 were so expended; so that, before they went out of office, about \$1,200,000 were spent out of the \$3,411,000 mentioned by the hon. gentleman as having been expended on this service up to the 30th June, 1877, so the hon. gentleman was perfectly right when he said that the late Government had fairly undertaken the enterprise before they went out of office. They had them at work for two and a half years. The hon. gentleman also correctly admitted that these surveys required not two and a half years, but seven years to complete, in order that the whole line might be explored and finally located. The hon. gentleman had stated that when he and his colleagues came into office, they thought these binding and solemn obligations required modification by the Government of Canada, in conjunction with and with the consent of British Columbia. Negotiations took place; and the hon. gentleman said that the terms were modified, and that British Columbia consented, through the instrumentality and the good offices of Lord Carnarvon, to such modification in this way:—that this Government should build the line between Victoria and Nanaimo, and should expend on the main line on the mainland, two millions per annum until the road would be completed. The hon. gentleman added that in consequence of this new arrangement and new binding and solemn treaty obligation, he and his colleagues brought down to the House a Bill to obtain the necessary means and authority to build the railway from Victoria to Nanaimo. This Bill passed through this House by a large majority, but in the Senate it was defeated. And how? It was a matter of history that it was defeated, by friends of the hon. gentleman—friends, whose support to the measure, he (Mr. Langevin) had no doubt that the hon. gentleman could have secured, if the same energy had then and there been shown to obtain a majority that was exhibited here when the hon. gentleman wished to have a measure passed; and then this

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binding and solemn treaty obligation with British Columbia would have been fulfilled. But no. That energy was not employed, and the result was that the Bill was thrown out by the votes of two of the hon. gentleman's friends, and as the hon. gentleman—

AN HON. MEMBER: Ah, ah.

MR. LANGEVIN said he did not know what an hon. gentleman meant by his "ah, ah's;" but all the hon. gentleman's ah, ah's would not change the facts. These were now historical. One of these friends of the hon. gentleman had just entered the Senate. The Session following, the hon. gentleman did not reintroduce that Bill in this House in order to have it passed through the Upper House. True, the hon. gentleman then tried to obtain leave to take advantage of the clause in the Constitutional Act which empowered the placing of six new members in the Senate, but permission was refused. There was no dead-lock between the two Houses. The Senate had a right to do what it did, though he (Mr. Langevin) really believed that the Bill should have been adopted, and it would have been the greatest wrong that could have been perpetrated towards the Upper House, if the Government had obtained the power and authority to enforce this clause of the Constitution, which was provided to be used only in case of a dead-lock. The hon. gentleman did not reintroduce the Bill, and why? Because there was a power behind the throne and behind the hon. gentleman. The hon. member for South Bruce had opposed this measure, and had shown that he controlled or affected votes by his eloquence or persuasive way of presenting matters to the House. The hon. the Minister of the Interior had voted with this hon. gentleman, and what was the result? The hon. member for South Bruce entered the Cabinet and would not allow it; and this was the reason why the interests of British Columbia were sacrificed on this occasion. The hon. gentleman (Mr. Mackenzie) said that afterwards the surveys were continued, and the statement stated that in 1874, \$310,000 were expended; in 1875, \$474,000; and in 1876, \$791,000; and in 1877,

\$754,000; so that during these seven years \$3,411,000 were paid out for the surveys, making an average of about \$13,000 a mile. He supposed that there had been an expenditure, since the 1st of last July, which of course the hon. gentleman said he could not give.

MR. MACKENZIE: The vote was \$230,000.

MR. LANGEVIN said supposing \$600,000 were expended, this would bring the total expenditure up to \$3,600,000, and he believed the hon. gentleman would find that Mr. Fleming's estimate in February, 1873, of the cost of the Pacific Railway was \$100,000,000. If that sum was correct, the surveys would cost a little over 3½ per cent. He believed that in great undertakings of that kind 3½ per cent. was not too much, and he believed the First Minister would admit that the cost of surveys might often go to 5 per cent. without being considered excessive. There was no doubt that the hon. gentleman or the engineers thought that Nipigon Bay was the point which should be selected for the branch line which touched the waters of Lake Superior. He had mentioned reasons why Thunder Bay was preferable to Nipigon Bay. He (Mr. Langevin) would admit that the late Government had ordered a survey from Thunder Bay westward. They wanted all the information possible. He did not remember how far his colleagues had gone into the matter, but he believed that it was considered that Nipigon Bay was preferable to Thunder Bay. The reason being that Nipigon Bay was on the main line of the Pacific Railway, and that thus an expensive branch would be avoided. He regretted that in the long speech of the First Minister, one which, no doubt, had cost him a great deal of labour, and in which he had given a great deal of information to the House, one expression had fallen from his lips which, he thought, he would regret when perfectly master of himself. He referred to the use of the word "foolish," as to the pretension, as he called it, to finish the road in ten years. He might have said that the pretension was

exaggerated; that it was not based upon proper facts; but he had no right to call it a foolish pretension. The late Government had adopted the Tête Jaune Cache after full consideration, and with the surveys of the engineers to go upon. He took this opportunity of saying that he had never found an officer more assiduous or more able than the Chief Engineer of the Pacific Railway. He had always shown himself a most able officer, and he was glad he had been kept at the head of the Department, in order that he might, he hoped, complete this great work. He had been the Chief Engineer of the Intercolonial Railway, which was a great credit and honour to him, and he hoped he would live long enough to see the Pacific Railway completed. He had able assistants; the acting Chief Engineer was a most able officer, who had always shown himself to be perfectly *au fait*, and he hoped he also might be long spared in connection with this great work. He (Mr. Langevin) did not regret the adoption of that pass. It was the proper pass at that time. He was not called upon to decide whether it was so now; other passes had since been discovered. The Pine River Pass was considered a very good one; but he understood from this report of the Chief Engineer that additional surveys would be required before it should be selected. It was not for him to say whether these surveys should be made or not. Hon. gentlemen opposite had the responsibilities of office, and it was for them to decide whether the information they had was sufficient, and whether they should decide upon the line now or not. It was true, as the hon. gentleman had stated, that the late Government held that Esquimault should be the terminus of the Pacific Railway. By all the information they then had, they considered that the proper terminus. Whether the line should go by the Fraser River, by Bute Inlet or Frederick Arm, or Alberni, or Barclay Sound or down to Esquimault, they were not in a position to decide. The surveys were not completed, and had only been going on for two and a half years. Since that, four and a half years had elapsed, and to-day the hon. gentleman said that the Government

did not feel themselves bound by the Order-in-Council in reference to Esquimault. That did not alter the position of the late Government. It did not say whether they were wrong or right; but it simply showed that this Government had a different policy from their predecessors. The selection of Esquimault as the harbour did not bind the late Government to any particular route. In regard to the course of the railway in Manitoba, he believed the reports showed that the country, through which it was to run, north of Lake Manitoba, was swampy, and that it would cost a large sum of money to construct it there. That country had been traversed by the engineers only in the winter; whenever they had passed through in summer they had not gone over that portion of the line, but had gone on the lake in canoes. They, therefore, could not judge of the quality of the land; but he understood that a large proportion of the route of the railway was below Lake Manitoba, and, therefore, that the pretension that the land could be drained into the Lake could not be sustained. The hon. gentleman had passed a high eulogy on the Peace River country, and he (Mr. Langevin) believed he was perfectly right. But in order to meet the observations of the acting Chief Engineer (Mr. Marcus Smith) who seemed to be very favourable to the Pine River Pass and Peace River country, the hon. gentleman said that branch railways might be projected from the neighbourhood of Edmonton into the Peace River or Pine River country. There was no doubt about that; but these railways would, of course, cost a large sum of money, and the hon. gentleman must not bring the length of the road by the Pine River Pass against that of the route proposed to be adopted, because the branch railway should enter into the account.

**MR. MACKENZIE:** I do not propose to build branch lines.

**MR. LANGEVIN:** The hon. gentleman said they could be built afterwards.

**MR. MACKENZIE:** Built by the people who went there.

**MR. LANGEVIN.**

**MR. LANGEVIN** said he did not think the hon. gentleman would expect the settlers to build these branches, if they could judge of his policy by the Bill of the Minister of the Interior under which it was proposed to build thousands of miles of railway at \$10,000 a mile.

**MR. MACKENZIE:** There is nothing of the kind in the Bill.

**MR. LANGEVIN** said that by that Bill the hon. gentleman proposed to build colonization railways at the rate of \$10,000 a mile, and that at a time when he said we had not enough money to build the main line of the Pacific Railway. He requested the First Minister to repeat the general gradients on the British Columbia routes.

**MR. MACKENZIE** said that on the Burrard Inlet route there were 185 miles of what might be called level road, against 137 miles on the Bute Inlet route. There was no grade on the Lower Fraser route higher than 1 to the 100; while on the Bute Inlet route there were a little over 21 miles above that, and 11 or 12 miles 2 feet to the 100.

**MR. LANGEVIN:** Would the hon. gentleman give me the highest grade, and the distance of that highest grade on these two routes.

**MR. MACKENZIE** said that on the Bute Inlet route the highest grade is from 175 to 2; and on about 10 or 11 miles it was about 2 feet to the mile. There was no grade on the Fraser route more than 1 per cent.

**MR. LANGEVIN:** Is that east to west or west to east?

**MR. MACKENZIE:** That is going east. Going west there is no grade on either of them higher than 1 foot to the mile. There are 27 of 1 foot to the mile going west on the Burrard Inlet, and 52 going west on the Bute Inlet route.

**MR. LANGEVIN** said the grades should be as low as possible; of course, putting them low would necessitate a larger expenditure. But, with a reasonable expenditure, it was better to have low grades than high grades, because, if the grades were low, the road

would be for all time, and its maintenance must be smaller than over high grades. If it were only for a short distance, the speed of the engines which had come a long distance would overcome that short distance with a higher grade; but, if it was a long distance it would be quite different, and it would require a stronger engine, as on the Union Pacific in the United States. A stationary engine was required in order to carry over the Rocky Mountains trains up those hollows; therefore, it increased very largely the daily expenses of working the railway. It was very important, as the Chief Engineer had determined the grade from east to west, as far as the Rocky Mountains, 52, from west to east 22, that that gradient should be maintained. If on the route selected there should be a higher gradient than that, which must be the case by what the hon. gentleman had stated, he (Mr. Langevin) hoped it would be for a short distance, so that it might be easily overcome, or, if it could be at the same place, or a very short distance from it, it might be overcome by one engine being placed there, and the efficiency of the route would not be impaired by having that higher gradient than on the upper portion of the line. The hon. gentleman said he had been able to adhere to that grade as fixed by the Chief Engineer up to now, and he still hoped that rule would be followed up to the Rocky Mountains. He (Mr. Langevin) hoped the hon. gentleman would adhere to that. There had been an attempt on section 15 to change that road from 25 feet to 40 feet, which would impair its efficiency. It was better to spend a little more money now on capital and not create a large annual expenditure. The interest of the additional expenditure to keep the grade low would be slight in comparison with the perfection obtained; the line would be complete in all respects and bear comparison with any line in the world. The hon. gentleman stated that according to the reports of the Chief Engineer, the acting Chief Engineer and other officers, there were three routes to be considered, Nos. 8, 6 and 2; the Dean Inlet route for \$29,000,000 through the Rocky Moun-

tains to the Pacific, the Bute Inlet route, cost \$33,000,000, and the Burrard Inlet route, \$35,000,000. The hon. gentleman after explaining these three routes finished by saying that the Government had not yet decided which one to adopt though they were favourable to the Burrard Inlet route. He and his colleagues were inclined towards this route, but had not made up their minds to decide on it. If the Minister of Public Works and his colleagues had not been able to make up their minds—

MR. MACKENZIE: I did not say we had not been able to make up our minds. I said we had come to no formal decision, but it was tolerably clear the considerations I had given were of such a character that they could not be passed over.

MR. LANGEVIN: The hon. gentleman not having come to a formal decision about this matter it cannot be surprising that I, not having all the information possessed by the hon. gentleman, nor the opportunities he has had to ascertain the facts, am not able to pronounce in favour of one line.

MR. MACKENZIE: I may say this much. I intended to discuss the matter in Parliament, Parliament being sitting. Although the Government had the power, and it was their duty, to decide on the route, I thought it would be an act of courtesy to Parliament that I should listen carefully to whatever hon. members had to say in favour of either route; although from the information we have ourselves, and the facts which I have mentioned, there seems but little doubt as to what our course ought to be.

MR. LANGEVIN said he had taken this note, that the Government had not fully decided which line to adopt. He took the explanation which might better convey the idea of the hon. gentleman. On this question the hon. gentleman wished to convey to the House an idea of what the railway might, cost and, according to his statement, the 2,208 miles were likely to cost fifty-five millions, or \$25,000 per mile.

MR. MACKENZIE: No.

MR. LANGEVIN: I think I understood the hon. gentleman to say that the line would cost \$25,000 per mile.

MR. MACKENZIE: Certainly not.

MR. LANGEVIN: I understood him to say that there were portions of the road which would cost \$40,000 to \$45,000 per mile.

MR. MACKENZIE: We mean that section 15,36½ miles, will cost \$1,600,000, to which has to be added the cost of rails, which amounts roughly to 90 tons per mile, or something over \$6,000 per mile additional; so that 36 miles of very heavy work will cost about \$50,000 per mi.e.

MR. LANGEVIN said he wished this to be well understood, because the hon. gentleman last year spoke of the few miles of railway that were under contract, which was the easiest portion of the line, the Pembina Branch, and gave the cost of that portion of the road to show how cheaply it could be built. That went through the country. Hon. gentlemen opposite and their friends said that this Government were building a railway equal to the Intercolonial for half its cost, and that the whole Pacific Railway would be completed under their able management at hardly more than half or two-thirds the cost of the Intercolonial. He was glad to hear the hon. gentleman say that that was not the case.

MR. MACKENZIE: I did not say that.

MR. LANGEVIN said he did not say the hon. gentleman said that. But the hon. gentleman was not alone in his party. He had a great many friends, and those friends had stated so. The press, which had supported him and his friends out of Parliament, had stated that the cost of the Pembina branch was so low that it showed what the cost of the Pacific Railway would be.

MR. MACKENZIE: That was quite right.

MR. LANGEVIN said the Pembina branch was a very easy railway to build; it ran through a very level country. But that was not the construction of the country between Lake Superior and the Pacific Ocean, which

was very rough. The hon. gentleman had admitted that the portion of the railway under contract, or built already, including that Pembina branch, had cost \$5,750,000 for the 228 miles, or \$25,000 per mile. He admitted now that a portion of No. 15, was costing at least \$50,000 per mile, and that many other sections would cost over that amount.

MR. MACKENZIE: The hon. gentleman has really not presented what I stated at all. I stated that including rolling stock, the whole 228 miles would be built at \$25,000 per mile, just about half what the Intercolonial cost.

MR. LANGENIN: The hon. gentleman stated that railway would be built, completely equipped, for \$25,000 per mile. But the largest portion built for that amount was the most easy line of the whole, and, therefore, the cost of that could not be compared with the cost of the remainder. It might suit the hon. gentleman to say: "I will take so many miles from Fort Garry, Winnipeg, through the prairie, and the cost of that will be a criterion by which I will judge of the cost of the whole railway." The hon. gentleman himself admitted that here was a rough portion, from Thunder Bay to Winnipeg, that cost \$50,000 per mile. He did not find fault with the hon. gentleman, that that portion should cost \$50,000 per mile. He only wanted to show that the whole line would not cost such a low sum as the Pembina branch, and therefore, it was not fair that supporters of the hon. gentleman, not himself, should go through the country and say: "See the Pembina branch, see how cheaply the Government have built that; that is the way we will build the Pacific Railway," giving to understand that the price paid per mile for the Pembina branch was the price to be paid for the Pacific Railway all through. It was not so. Other sections of that line would cost \$75,000, and, perhaps, more per mile. The hon. gentleman gave as a reason for not completing the Pacific Railway, that he did not want to impose onerous burdens on the people. He was quite right; no one wanted to do that. But without imposing bur-

MR. MACKENZIE.



dens on the people he might go on and build the railway. There were rails on hand for nearly the whole of the line for which the Government was paying a large sum in interest, and which were depreciating every day. Why not use them? Why not go on as fast as possible, consistent with our duty to the country, in such a manner as to reduce that immense sum invested in those rails? In that prairie country, from Winnipeg towards the Rocky Mountains, the railway could not cost very much with the exception of bridges; these rails could be used there, and access being given to that country, thousands of emigrants would flow into it and settle there. He would close by calling attention to the telegraph line which was begun at a time when there had been no proper survey or location of the railway made, and which had cost a larger sum than if it had been built on the located line of the railway. A portion of the telegraph line would be useless, because it was not built on the line of the railway. The contractors had now a large claim against the Government. They had already received a sum of money, but when the contract would have to be settled, a large sum would have to be paid those contractors, because that contract had been given without proper consideration.

**MR. MACKENZIE:** The hon. gentleman is mistaken. There is no telegraph line built except on the located line.

**MR. LANGEVIN:** The hon. gentleman must remember he gave a contract for the telegraph before he had any location fixed for the railway. He has had to pay an indemnity to the contractor.

**MR. MACKENZIE:** No.

**MR. LANGEVIN** said, according to the papers brought down, the contractor, Mr. Bernard, claimed a large sum as indemnity. He had made contracts with others and had to fulfil those contracts; he complained to the Minister and said: "You are ruining me, I cannot pay these men until you pay me." That was the position in which he was placed, and the Govern-

ment would finally have to indemnify him. That was not the proper thing to do under the circumstances. The hon. gentleman and colleagues should have waited until the line was required. The railway line should be located first, then build the telegraph line. The hon. gentleman seemed inclined to adopt one line in preference to the others. The responsibility rested on him and his colleagues. It was for them to determine that; they had all the information before them. The views of the Opposition, of course have no effect on the decision. They had made representations on many occasions, they had put resolutions before the House, which had been negatived and thrown out; nevertheless, their views were there, and when the time came the people would judge between them and the hon. gentlemen opposite.

**MR. KIRKPATRICK** said, at this late hour, he would endeavour to confine his remarks as short as possible. He had listened with a great deal of attention to the remarks of the hon. the Minister of Public Works in introducing this resolution. The difficulties were apparent which beset him and his Government with regard to the selection and location of the proper route. They had not only the difficulties presented by the different routes to choose between, but also the difficulties of the Chief Engineer, and the acting Chief Engineer, differing on this point. One fact must be somewhat pleasing to his hon. friend from Yale, namely, that the route had been selected for the survey of which he had successfully contended in this House two or three years ago, before the location was finally decided on. It must have been noticed that the hon. the Minister of Public Works, while alluding to the interests of British Columbia with regard to the selection of the route, did not pass any remarks upon other interests in connection with the selection of the terminus, such as Imperial interests in opening the North-West Territories. The hon. gentleman confined his remarks to the immediate terminus in British Columbia, and left out of view the fact that the one route passed through the North-West, a

vastly more fertile country and much better suited for settlement than the southern route, or the one located. He (Mr. Kirkpatrick) did not at present intend to deal with this point, as he agreed with the hon. member for Charlevoix that the Government were responsible for this matter, and, no doubt, felt this responsibility, and would act as they thought best suited to the interests of the country. But he wished to speak more particularly regarding the vote immediately before them from Sunshine Creek to English River. He would like to know whether this vote of \$214,000 would complete the work to English River.

**MR. MACKENZIE:** I am not positive.

**MR. KIRKPATRICK** said he supposed that it would nearly do so. He thought that the road was now ironed to Savanne. English River was 110 miles or so from Thunder Bay, in the wilderness. But there was no vote asked for the construction of the line beyond, and thus a gap was made until they came to Rat Portage. No estimate was asked to connect these two points; and it followed, no doubt, that there was no intention of commencing this section before the 1st July, 1879. From the next July they would have 110 miles built at one end, and the work progressing for 114 miles at the other end with great rapidity; and it would not be far from being completed on the 1st July, 1879; while in this great gap not the first attempt would have been made nor a vote asked from Parliament to undertake the work of construction. This was most remarkable. Why were the two ends of this portion of the road being built if there was no intention of connecting them? The hon. gentleman admitted that the line between these two points was located and ready for construction; but no contract was entered into, and there was no intention of doing so during the coming year. Was this reasonable? Were they to expend 5½ millions,—which the hon. gentleman said that these 223 miles would cost,—without having any intervening link? Were two lines to be built leading nowhere? He would allude presently to the proposition

**MR. KIRKPATRICK.**

about these two points. Port Savanne and Rat Portage should be connected by some sort of hermaphrodite system of water and land communication; but he did not believe that the Government intended to adopt any such plan as he was told was actually brought down in the other end of the building in a minority report, for which a member of the Government had actually voted. This was a plan by which it was proposed to expend more public money in order, if possible, to utilize the Fort Frances Lock, and to make the country believe that there was some value and some use in this public work, and that it was intended to expend in this regard \$150,000, according to the estimate of Mr. Sutherland, and \$350,000 according to the estimate of Mr. Mortimer, a practical engineer. It was proposed to build tramways to improve the water communication, and this would involve the building of dams, the deepening of rivers, and the building of extensive works, steamboats and barges; and for what purpose? To convey from 40 to 50 tons a day of produce between these points. This meant a train of five cars, and he did not believe that 50 tons could thus be transported daily. He did not believe that a tug could be placed on these waters—they were so shoaly—of sufficient power to convey a train of barges carrying 50 tons of produce; but suppose this were possible. Had it then come to this: that they were to expend well nigh six millions to have a train of five cars pass one way a day. The idea was most preposterous. Let them call the Fort Frances Lock a blunder, and say the money was thrown away; but they should not throw away more money in building such useless works of that kind. He hoped that the Government did not intend to do so. He protested against it. There was some hope for them not doing so, as no estimate was made for it; but as a member of the Government had actually brought down a report advocating such a scheme, he must protest against and warn the Government against taking any step of the kind. If some such scheme was not undertaken there was no excuse for not connecting the line between English River and Rat Portage. This must be done sooner or

later. It was located and ready for construction; and until this was done the two ends of the railway which were being built, at the enormous expense of six millions, were practically useless. He hoped that the Government would give them some explanation in this regard. Fifty tons amounted to about \$1,650 bushels of wheat; and after it was harvested in the West and ready for transportation, say on the 10th of September, there would not be more than 35 days before this water communication would be frozen up; and 35 times 1,650 bushels would make 57,755 bushels, about the produce of a farm of 2,000 acres in the West; and this was what they were building this railway and improving this water communication for in order to have a competing route with the Pembina and Duluth route. He had only to call the attention of the Committee to these facts to show how preposterous was the idea contained in this report; and he hoped and believed that the good sense of the Government would never adopt or carry it into practice. There was a remarkable omission made in not asking for any vote to construct the line westward from Red River. They had there a great country, Manitoba, into which our people were flowing by thousands and thousands. It was being rapidly filled up with a hardy and thrifty population, which would have a large quantity of grain and produce ready for export as soon as the means were provided. This country needed development. The hon. gentleman told us that one great object of the Pacific Railway was to pass through the fertile lands in the North-West, and in this he fully agreed with the hon. gentleman. He believed that Canada would never have undertaken the construction of this great work, had it not been for the North-West Territories, which they desired more than anything else to develop and open up. The hon. gentleman said they had resolved to adhere to the located line in this part of the country. Why not then take a vote and go on with this section? The line was already located, and the cheapest line through the prairie country, and yet there was no intention of obtaining a vote in

this relation. This was not treating Manitoba and the North-West fairly, or enabling them to derive any benefit from the great explorations made in the North-West. This was one of the first portions of the road that should be undertaken and built as soon as possible. The line was located from Thunder Bay to Selkirk on the Red River; but the hon. gentleman had not told them that there was any considerable extent of land in this region fit for settlement. They knew that this was not the case. The promised land, the land flowing with milk and honey, lay beyond Red River, and the road from Thunder Bay to Red River merely passed through the portals of the country in question. The distance covered was 400 miles; and for 250 or 270 miles to Fort Pelly, there was no more than 20 or 25 miles of land fit for settlement. They were building a line of 650 miles, from Thunder Bay through land which was practically unfit for settlement. He would ask the hon. gentleman, in view of these facts, to reconsider his decision, if possible, and run the line through a portion of the country which was fit for settlement. They should open up the country west of Red River, either by this road or by one of the colonization roads, which only meant another Pacific road. If they voted lands for this purpose, they represented money's worth. The hon. gentleman had mentioned the heavy work on Section 14, owing to the Julius muskegs which they had unexpectedly come across, and this entailed extra work on the contractor.

MR. MACKENZIE: I said nothing about extra work.

MR. KIRKPATRICK said the hon. gentleman had stated that the contract was given out for \$400,000, but that in consequence of heavy work required to pass these muskegs, this expenditure would amount to about \$500,000. He would ask the hon. gentlemen whether the sum total of the original contract was not about \$400,000.

MR. MACKENZIE: I said \$402,000, and I stated that the cost would not be far from \$500,000.

MR. KIRKPATRICK said that this would cost a great deal of extra work.

MR. MACKENZIE: There is no such thing as extra work.

MR. KIRKPATRICK said that there would be a great deal of additional work, which was not now anticipated to be done on the route westward to Fort Pelly.

MR. MACKENZIE: No: we will not.

MR. KIRKPATRICK said that a return had been brought down the other day of all the reports of engineers, memorials, papers and, correspondence relating to the survey and location of the line between Red River and Battleford, not heretofore laid before Parliament; but only two of these reports were brought down, and it was remarkable that no engineer had been over this portion of the route in summer. There was nothing in the voluminous reports before them from which they could glean any information respecting this route between Red River and the Narrows of Lake Manitoba. One of these reports just brought down was by Mr. Rowan, who said that he went sometime one summer as far as Oak Point on Lake Manitoba, and thence by canoe as far as the Narrows, but he did not go along the located line. Mr. McLeod said that he went over this portion of the country in winter when everything was frozen up, and he could not tell where streams were save as to some large streams. This evidently showed that the whole of the country was frozen up at the time. This was not a satisfactory state of things. A man who had been over this route in summer had told him that he had, in doing so, to cross one of the muskgs on snow-shoes, in July, and even then broke through; he had a 20 feet pole pointed with an iron and could not find bottom in some places, and yet the engineers reported that there was not a muskeg there more than two or three feet in depth. This was a very great discrepancy, and he did not think that they had a satisfactory explanation of it. The fact that additional work was unexpectedly imposed by meeting with

the Julius muskeg, which was seventeen or eighteen feet deep, showed that there was a great deal of justification for his remarks, and his impression that the engineers who had passed over this route between Red River and the Narrows had not thoroughly and exhaustively ascertained the nature of the land and muskgs over which they passed. He had not changed his mind respecting the Fort Frances Lock. It was a great mistake. He could see some reason for it when it was intended to run the road to Sturgeon Falls, and this would have given unbroken communication by water to Rat Portage, but when the road was deflected to the northward, it should have been stopped. He was certain that since the change of route took place all the money that was expended on this lock was thrown away and lost to the country. There was no attempt to say that there would be any commercial benefit derived from that lock. The market of the settlers on Rainy Lake would be down towards Rat Portage. They would not go up the river, they would go down with the stream. There was, therefore, no idea that this could be used for commercial purposes. It had been suggested in the Senate that it might be used as a military work; but seeing that it was a canal on one side of a river, on the other side of which was the American boundary, it was in the wrong place to pass troops within a stone's throw of the American frontier. Some good had resulted from the discussion which he had introduced here last year, in the fact that the Government had changed the depth of the canal. There were, however, two obstructions in the Rainy River which prevented steamboats from getting up to the Fort Frances Locks, namely the Long Sault and the Manitou Rapids. It was proposed to expend money in taking out boulders and rocks, but that would not overcome the rapid, and he very much doubted if the steamers could ever be got up to the lock. He contended that the work should be given out by contract. If the Government had not disobeyed the plain letter of the law in this respect, the country would have saved \$200,000 which had been lost in consequence of this

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flagrant violation of the law of the land.

MR. TROW said he doubted if the work could have been let by contract. He was satisfied it had been carried on very economically. He doubted if the Government had ever had a more energetic Superintendent. The expenditure of this money would lead to a settlement of 300,000 or 400,000 acres of productive lands. From 80 to 100 townships had been already surveyed and were being rapidly settled. That section could never be settled by the construction of the Pacific Railway proper there must be a road through it. There were very extensive timber limits around there, and that timber was required for the prairie districts of the west. It was of the greatest importance that the work should be completed.

MR. McCALLUM said according to a report which he had read last year, the people of that section had to go to Red River for their timber. Timber had to be procured to build the lock, and yet the hon. gentleman said timber abounded in the neighbourhood.

MR. MACKENZIE said that was some special timber required for the lock gate. There was enough timber in the neighbourhood for a million locks. Did not the hon. gentleman know that the contractors had been unable to find in Canada some kinds of timber required for the Welland Canal?

MR. McCALLUM said they could have got the timber in Canada, but it was cheaper to get it in the United States. His hon. friend from Frontenac had spoken of pushing the road west of Red River. He (Mr. McCallum) would rather they would build the link first. It would take probably three or four years to build that link, and the ties already laid would be rotten before the other portion of the road was built, unless they went on with it at once. He thought the construction of the Fort Frances Lock was a mistake, and considered that, when the Minister of Public Works found it could not be used to transport supplies for the Pacific Railway, he should have come down

and said he was mistaken, and would not proceed any further in a useless expenditure.

MR. WHITE (North Renfrew) said that if anything were needed to confirm the statement that the connection between English River and Rat Portage should be completed, it was the statement of the hon. member for South Perth (Mr. Trow) that more than one road would be required. They had information that immigrants were going into the North-West at the rate of 200 a day, and opening up a communication through our own territories by rail. A mixed land and water route had been spoken of, but the attempt to take passengers and freight over such a route as that would, in his opinion, be a very great failure. When direct communication was completed from Duluth to Winnipeg the number of passengers, or the quantity of freight that would pass over such route, had been mentioned, namely, a system of tramways from Port Savanne to Kettle Falls, and thence by navigation to Rat Portage, would be infinitesimal. It was the duty of this Government to make every effort to complete the portion of the line between English River and Rat Portage, and he was sorry that they had not seen fit to put a sum for this particular portion of the road in the Estimates. The hon. member for South Perth (Mr. Trow) had said that the construction of the Fort Frances Canal and Lock would greatly facilitate the carrying of lumber to Manitoba and the North-West Territories. If he (Mr. White) understood the matter aright it seemed to him that no such expenditure would be at all necessary to enable the settlers in Manitoba and the North-West to get their lumber at a much cheaper rate than they got it at present. When the railroad was completed from Rat Portage to Selkirk, and thence to Winnipeg, all the facilities possible for procuring cheap lumber in the North-West would be obtained. He did not object to the necessary expenditure for the completion of the Fort Frances Lock, but he objected to the expenditure of any further sum of money on that route. There was one other thing to which he would like to draw the attention of

the Committee. He did not observe in the item now under discussion in this particular vote for the Pacific Railway, that the leader of the Government had asked for any vote for the Georgian Bay Branch, and although the hon. gentleman had been requested during this Session to give information as to what the Government proposed in reference to it, the information had not been given. He (Mr. White) should like to enquire whether the Government proposed to bring down any sum in the Supplementary Estimates for the construction of the road from the South River to Cantin's Bay, or to the mouth of French River, and whether it was proposed during recess to advertise for contracts for that particular portion of the Pacific Railway scheme. He understood from the notice on the paper that it was the intention of the Government to ask for a ratification of the Order-in-Council in reference to the extension of the Canada Central Railway to Lake Nipissing, that it was their intention, at all events, to build the connection from Lake Nipissing eastwards. What he desired to ask was, whether it was the intention of the Government to take a vote for the construction of the Georgian Bay branch, and if so, whether the contract would be advertised for.

**MR. MACKENZIE:** That is under consideration. The hon. member for Frontenac asked how much was spent upon that section up to the present. There was a sum of \$703,000 expended to the end of the year.

**SIR JOHN A. MACDONALD:** Will the hon. gentleman inform us why no sum of money has been mentioned for the road between English River and Rat Portage?

**MR. MACKENZIE:** The hon. gentleman has scarcely observed what I said to-day. I pointed out that we desired to place the entire road under contract if we could, upon the terms of the Act of 1874, but, as we found in 1874, it would take several years before it could be completed, it was well to advance those portions which could be constructed by the time the surveys could be completed, and we proposed then to let the entire route from Fort William westward, in one contract,

deducting from the contract the amount paid on this section as part of the \$10,000 per mile, which the Act provided was to be paid to that contractor. If we can succeed during the coming season in our attempt to lay the entire road, the contract would be submitted to Parliament next February for their approval, and these contractors would finish all that remained to be finished of that particular part, as well as that west of Red River. We do not desire to proceed on the last contract any further; the survey being completed, we want to utilise our lines if we can. If we fail to obtain contractors under the terms of the Act for the whole route, we propose to ask Parliament to sanction special contracts for those 180 miles, and also for the section in British Columbia, starting from the navigable waters westward, if we select that route, which is probable. The hon. member for Charlevoix seems to think we have an enormous quantity of rails on hand. Those required for what we have under contract on the Pembina Branch will only leave enough for 180 miles to be laid after that; so there is not so very large a quantity as the hon. gentleman supposed. There are just enough to build the road within two or three miles from Fort William to Selkirk.

On item \$164,700, for telegraph lines and roadway,

**MR. MACKENZIE:** These telegraph contracts are really part of the work of construction. The contractors are bound to clear out all timber to the width of 32 feet on the exact line of railway, and erect a telegraph line. It has been, in the work of construction between Keewatin and Selkirk, of the utmost possible use, as had been stated by the Engineer-in-Chief. As soon as the road is located anywhere, where the contracts extend, the contractors for erecting the telegraph have to proceed and clear out the timber to this width, then the railway contractors follow. In case they should neglect in any way clearing out the track to this width, there is an item in the contract for construction with the contractors, binding them to clear out the timber. If we pay the one contractor, we do not pay the other. So far, the contrac-

**MR. WHITE.**

tors for the telegraph line have kept in advance of the contractors bodies for the regular building of the road.

MR. BUNSTER: In this item is it intended to place a telegraph line from Nanaimo to Victoria.

MR. MACKENZIE: Not in connection with the railway. The hon. gentleman's questions will perhaps come better on Monday.

Vote agreed to.

XXIII. MISCELLANEOUS.

184. For the expenses of Government in the North-West Territories..... \$17,000

II. CHARGES OF MANAGEMENT.

Financial Inspector.....	\$2,600
Office of Assistant Receiver-General	
Toronto.....	7,600
do Montreal.....	5,500
Auditor and do Halifax, N.S.....	10,000
do do St. John, N.B. ....	11,400
do do Fort Garry.....	6,500
do do Victoria, B.C.....	7,000
do do Charlottet'n, P.E.I.	4,000
Country Savings Banks, New Brunswick, Nova Scotia and British Columbia.....	12,000
Seigniorial Tenure and Commission.	2,500
	<u>\$69,100</u>

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

GOVERNMENT BUSINESS.

QUESTION.

SIR JOHN A. MACDONALD: Will the hon. gentleman inform us what measures he proposes to drop.

MR. MACKENZIE: We will drop Bill No. 47, the Registration of Titles Bill, and it is under consideration whether we will proceed with other Bills. It is probable that the Government will not proceed with Bill 32, to facilitate the colonization of Dominion lands by aiding the construction of railways; and we will not go on with the Stamps Bill, No. 40. We propose consolidating the whole of the Stamp Acts at a future time.

SIR JOHN A. MACDONALD: That will be much better.

House adjourned at  
Fifteen minutes before  
Twelve o'clock.

HOUSE OF COMMONS.

Monday, 6th May, 1878.

The Speaker took the Chair at Three o'clock.

PRAYERS.

GOVERNMENT BUSINESS.

MOTION.

MR. MACKENZIE moved:

"That the Government business shall have precedence on Wednesday next, immediately after Routine Proceedings.

Motion agreed to.

IMMIGRATION AND COLONIZATION COMMITTEE'S REPORT.

MR. WHITE (North Renfrew) said that he found the following paragraph in the Report of the Committee on Immigration and Colonization:—

"On the subject of the Dawson Route, from a consideration of facts stated in evidence by Mr. Hugh Sutherland, the Committee find that it would be advisable to utilize the portions of Railway being constructed and about to be finished by means of tramways around the portages between Port Savanne and Kettle Falls, the tramways being worked by light cars on a narrow gauge drawn by horses, and towed on barges along the water stretches without breaking bulk."

With regard to this particular portion of the report, considerable difference of opinion existed in the Committee, and he thought he was correct in saying that the decision arrived at was that the Committee would express no opinion regarding the desirability of constructing these works, but simply report to the House Mr. Hugh Sutherland's opinion on the matter. As a member of the Committee, he wished to express his entire dissent from the statement contained in this paragraph.

MR. TROW said he did not admit that there was any irregularity in this report.

CANADIAN PACIFIC RAILWAY ACT  
AMENDMENT BILL.—[BILL No. 52.]

(Mr. Mackenzie.)

CONSIDERATION OF SENATE AMENDMENTS.

MR. MACKENZIE said that the Senate had so changed the Bill as to require the assent of the Senate as well as the assent of the House of Commons to any contract or agreement made with respect to the lease of the Pembina Branch. The Government could not possibly accept this amendment by which the Senate assumed to itself a right which this House had never conceded, and which he hoped, it never would concede. It was not conceded in England, and he was bound to disagree with the amendment. He would, therefore, move that this House doth disagree in the amendments made by the Senate to the said Bill, for the following reasons :

“Because it is contrary to the uniform practice of Parliament, that contracts into which the Executive is authorized to enter, should be made subject to the approval of the Upper Chamber.

“Because in recognition of the practice the Executive was authorized by the Canadian Pacific Railway Act of 1874, to make all contracts for the construction of that great work subject to the approval of the House of Commons only.

“Because in further recognition of the practice the Executive was by the same Act authorized to make contracts for leasing or working one of the Branch Railways, in connection with any other Railway, subject to the approval of the House of Commons only.

“Because on the principle on which the approval of the Senate was not required to such contracts, it ought not to be required to a contract for leasing or working another of the Branch Railways.”

MR. TUPPER said he was rather surprised to learn the decision at which the hon. the First Minister had arrived, because, if his memory served him right, the statement that this was the uniform practice was not accurate. He thought that their practice had been the reverse, and such as was required by the Senate. They had had, he believed, two, and only two, Acts passed by this House that would bear direct analogy on this subject—one with reference to the transfer of the Windsor Branch Railway, and the other

with regard to the transfer of the road from Truro to Pictou. Both of these were dealt with in the way proposed; that was to say, the contract was subject to the approval of Parliament and not of the House of Commons alone.

MR. MACKENZIE said that this was an entirely different matter. The precedents the hon gentleman referred to related, not to a contract, but to the giving away of a certain national property, while this concerned the approval of an arrangement of the nature of a contract exactly such as that which affected the Georgian Bay Branch Railway; that which related to contract with the Moncton Water Company, approved the other night, and the Ottawa Gas and Water Companies and several others that might be named. The resolution which first authorized the Government to act, both with respect to the Pictou and Touro and Windsor roads was passed by this House only, but when it was determined to give away this railroad, this piece of national property, it required an Act of Parliament, and no Act of Parliament, of course, could be passed without the sanction of the three branches, the two Houses and the Chief of the Executive.

MR. TUPPER said it appeared to him that these cases were parallel. It was proposed to make a certain disposition of the Windsor branch and the Truro and Pictou Railways; and, in doing so, it was considered necessary to have the approval of the Senate as well as of the House of Commons. It was, therefore, established, as far as the Government could establish it, that in dealing with public property in this way it was desirable to have the approval of both branches of the Legislature, and he could not see why this was not the sounder course. He could well understand that in approving of comparative unimportant matters, such, for instance, as the ratification of a contract for the construction of a portion of a line, it was different. The disposition of an agreement to pay a certain sum to get a certain amount of work performed, did not appear at all analogous, and he held that the first ground taken

MR. TROW.



failed. Their practice was to reverse and the approval of both branches was necessary in disposing of a line of railway. Then he held that the second objection was faulty because there was no analogy between the approval of the House of Commons of a contract to perform a certain amount of work for a certain sum of money, and the power to alienate a large portion of the Canada Pacific Railway for a considerable term of years. The question was one of public policy, and was very important. He was not at all prepared to say that the House would, and, in fact, he was not inclined to think from the explanations given on the part of the Government to the House that the House would probably approve of the arrangement in question, and that there would be no difficulty in obtaining the concurrence to it of the Senate. He did not see why the Senate should be precluded from having an opportunity to pass its opinion upon a question of very large importance and a very important question of public policy. He thought that this was only in conformity with the general scope of their mode of conducting business, which required that matters of very much less import should have the concurrence of the Senate. He would be very sorry to have the hon. gentleman raise a question in which the other branch of Parliament might feel it would be called upon to surrender concurrence, and which might have the effect of embarrassing the course that, in the public interest, it might be desirable to pursue. He was afraid that on investigation it would be found that the ground of uniform practice could hardly be substantiated; and that the other analogy which the hon. gentleman had mentioned would not bear out the reasoning adopted. As a member of this House, he failed to see why it should not be desirable to have the assent of both branches of Parliament to such arrangement, or in what way this would invade the privileges hitherto possessed and acted upon by the House of Commons.

MR. BLAKE said he regretted that a leading member of this House should affirm the view expressed by

the hon. gentleman (Mr. Tupper). He denied altogether that there was any precedent contrary to the view taken by the reasons given for disagreement. In 1875, when fresh from the people, they had not complied with what was now urged by the Senate; and, certainly, in 1878, when on the eve of appealing to the people, they should not surrender the power demanded by the Upper Chamber.

MR. MASSON: It is evident that we are going to the people.

MR. BLAKE said he held that, especially as the Senate had not claimed any exercise in 1874 of the right now put forward by the hon. member, the course proposed by the Government was, according to precedent, also entirely constitutional. For himself, he was prepared to stand by the rule of Parliament which was unanimously assented to in 1874.

MR. TUPPER said that he would remind the hon. gentleman that it was not simply the fact that this House had passed a resolution authorizing the Government to engage to certain terms; of course it then became more necessary to pass an Act, and that Act required the assent of the Senate. The point to which he drew the attention of the House was that, in an Act providing for the disposal of a question of infinitely less importance, the approval of Parliament, and not simply of this House, was required.

MR. HOLTON said it was a resolution, not an Act.

MR. TUPPER said that the resolution in reference to the Windsor Branch or Pictou Branch of the Intercolonial required the approval of Parliament—that was both branches of Legislature. He had had no desire to raise a question of the Pacific Railway, because there was no analogy. The amount of aid to be given in that case was specified, and as to the route, the First Minister had already stated that the Government did not necessarily require to ask the consent of Parliament to that.

MR. BLAKE: But they required to ask the assent of the House to the contract which embodies the route.

MR. HOLTON said the assent of the three branches of the Legislature must be required to every measure declaratory of or founded upon public policy. The Senate had already assented to the question of public policy involved in the leasing of this branch. The simple question that remained was whether the contract made in pursuance of this public policy should be submitted to both branches, or only to one, according to the uniform practice. He could not find a solitary instance among the precedents of the British Parliament, where a contract was made, subject to the approval of the Lords, or in practice of the Canadian Parliament, where a contract was made, subject to the approval of the Senate, or of the old Legislative Council. They might object to the Senate claiming to be a body to which the Executive must account for the administration of public property and the expenditure of public money. His view was that the pretension of that hon. body amounted to an arrogation of the peculiar prerogatives of this House, as regarded the control of the public purse and public property.

MR. LANGEVIN said he failed to see any difference between the case of the Windsor Branch and this Bill. By the Bill before the House, they were asked to make the lease on such terms as may be agreed upon. The Senate had a fair right to ask what those terms were. The terms might be such that the Senate, with full knowledge of them, might refuse to commit themselves to. He agreed with the hon. member for South Bruce in claiming all the privileges belonging to the House, but he did not think they should infringe upon the privileges of the other House. The hon. gentlemen opposite the other day had themselves recognized the principle of the concurrence of the Senate in matters relating to money; for in the Bill for the better auditing of the Public Accounts, they had made it a condition that the Auditor-General should only be removable by an address concurred in by the Senate and the House of Commons. He could not agree that it was infringing upon their principles to insist that the Senate should have no control

MR. BLAKE.

whatever over the details of what they had agreed to as a general policy, especially when the terms and conditions of leases and contracts were not stated.

MR. HUNTINGTON: Suppose a contract were submitted to the Senate, and the Senate disagreed with the amount, then it would come to this, that what had been agreed to by the Executive and the House of Commons might be thrown out by the Senate.

MR. LANGEVIN said the Upper House had a right to reject any money Bills.

MR. RYAN said it was quite evident, from the course of the Government in this matter, that they had not intended to complete the Pembina Branch.

MR. BLAKE: Question.

MR. RYAN said, as such a course would leave Manitoba without railway connection for another year, and it must be extremely inconvenient—

MR. SPEAKER: Does the hon. gentleman mean to argue that, because the Branch would not be finished, the House should surrender its privileges?

MR. TUPPER said that this was a question for debate. They had had a speech from the First Minister, giving his reasons for proposing to reject these amendments; and the hon. member for Marquette (Mr. Ryan) had certainly a right to urge his view as to why it would not be desirable for the House to adopt the proposal of the First Minister.

MR. RYAN said that, because they knew such a course would be improper, the Government desired to transfer from their shareholders the result of their conduct. In replying to a question of his, last Wednesday—

MR. HOLTON: Order.

MR. RYAN: Hon. gentleman are determined to confine me entirely to the constitutional question.

MR. SPEAKER: Is that raised by the resolution submitted to the House?

MR. TUPPER said the question before the House was, whether this House should rake up the amendments

of the Senate or not, and, under that question, the hon. gentleman was perfectly in order.

MR. SPEAKER said the hon. gentleman was not arguing the question raised by the resolution, but an entirely different question. He was endeavouring to show that the adoption of this resolution would defeat the Bill, and, in that way, injure his Province.

MR. TUPPER said the question before the House was, whether we shall adopt the amendment or not.

MR. SPEAKER said the question before the House was, whether we should adopt the resolution submitted by the First Minister or reject it, not whether we shall reject the amendment or not.

MR. HOLTON said the policy of the Bill was not under debate at all. Both Houses had agreed as to the policy of the Bill. The point in debate was whether the Executive shall be vested in this matter of contract in the Senate as well as the House of Commons.

MR. RYAN said the hon. gentleman seemed to be in a very orderly mood and to be determined to adhere very rigidly to points of order and constitutional points. In bowing to the decision of the Speaker, he (Mr. Ryan) could not set himself right in reference to the statement made by the hon. the First Minister last Wednesday, and he would take another occasion to do so. He would merely remark that it seemed to him almost a matter of words, to see the great amount of zeal for the Constitution which had been developed by hon. gentlemen opposite to-day. Only a week or ten days ago these hon. gentlemen, who, to-day, were such advocates of the Constitution, sat by without saying a word while the Constitution was being trampled into the dust.

MR. MACDOUGALL (East Elgin) said that this was an act, as had already been properly observed by the hon. member for South Bruce, to repeal a policy which had been established by the wisdom of Parliament, in connection with the passage of the Canadian Pacific Railway Act. If these amendments, as sent down from the

other House to this House, were adopted by this House, then it would be logically consistent and obligatory upon us in pursuance of that to repeal the 15th section of the Canadian Pacific Railway Act, relating to the re-leasing of the Georgian Bay Branch. If the terms of this Bill, now under consideration, were precisely the same as what was contained in the Act of 1874, what reason was there that that policy should be reversed. Was there any reason why this House should act contrary to the course pursued on that occasion? Could any reason be assigned by hon. gentlemen opposite why this Parliament cannot be entrusted with the carrying out of this contract?

MR. RYAN: One reason is that there are hon. gentlemen on the floor of this House advocating the granting of powers to the Government to make a lease with themselves.

MR. MACDOUGALL: The hon. gentleman said this House was asking powers for the purpose of ratifying leases with hon. members of this House. What grounds had he for making any such statement? Did he mean to insult the intelligence of this House by making such an allegation. He had no reason—

MR. RYAN: I have reason.

MR. MACDOUGALL: It ill becomes the hon. gentleman coming from the Province of Manitoba, a Province deeply interested in the Pacific Railway—

MR. SPEAKER said he thought it was unfair that an hon. member should be allowed to comment on what an hon. member previously had attempted to say. He had better confine himself to the subject-matter, which was simply whether the resolution by the hon. the First Minister should or should not be adopted.

MR. MACDOUGALL: This House was asked to reverse the policy sanctioned by Act of Parliament. No reasons had been assigned why we should place less confidence in ourselves, in carrying out these instructions now, than we possessed at the time this Act

was passed in 1874. Now, this Bill before Parliament was different from the precedents which had been cited in support of the conduct of the Senate on the other side. It did not ask for the passage of the Bill, it simply asked that this House shall have the power of ratifying the contract, of arranging with other railways for the leasing of this railway. It was strictly consistent with the policy of this Act, as he had already stated. If this House were to adopt these amendments brought down from the Senate, it would be entirely reversing the policy which it had sanctioned. The hon. member for Charlevoix stated that the Bill before Parliament relating to the appointment of the Auditor-General was directly in point, and that it was a case which should be referred to as a precedent for sustaining his argument, justifying the course of the Senate with respect to this measure. With all due respect, he (Mr. Macdougall) begged to differ from the hon. gentleman. What had the appointment of the Auditor-General to do with the ratification of the lease of the Pembina Branch or of any other line of railway? Surely the appointment of an Auditor-General was not the same as making a contract. The passage of that Bill was not the appointment of an Auditor-General, but it was the passage of an Act of Parliament authorizing the appointment of the Auditor-General. If there was any similarity between them, it would be that we have passed an Act of Parliament for the purpose of permitting us to appoint an officer. The House had already passed an Act granting the Government power to make contracts. This Bill asked for authority to make a contract pursuant to the policy already adopted. It seemed to him that this House ought to be the sole judge with regard to the expenditure of money. Means were required to build the railway, and the transactions relating thereto were of a financial character, and strictly within the purview and prerogatives of this House. He felt it to be his duty, therefore, to express his decided opposition to the conduct of the Senate and his full approval of the motion submitted by the hon. the First Minister.

MR. MACDOUGALL.

Mr. DESJARDINS said he thought the Senate when passing a Bill had a right to make such amendments as they deemed necessary. The hon. member for South Bruce said there was a precedent to be quoted against the Senate, namely, their action with regard to the Georgian Bay Branch. Because the Senate did not then require the fulfilment of the condition they now claimed, was probably the reason they claimed it now. The experience of the former contract might have induced them to adopt their present position.

Mr. WHITE (East Hastings) said this matter was one of very great importance. The people of this country were watching with great interest the proceedings of this House and Government with relation to leasing to the Montreal Bank, or any other institution, that line of road. The people would ask: did the Government object that it should be submitted to the Senate? There must be something behind the screen, something that will not bear the light, when the Government refused to accept the Bill amended by the Senate composed of gentlemen selected from among the best men of the country. The hon. member for South Bruce found fault because a certain item, a certain law, had been passed; he remembered well that by that Pacific Railway Act and the letting of that contract the late Government was put out of power. The people of this country were suspicious of letting a contract to any rich corporation. The point he wished to impress on this Government was, that they professed to be a Reform Government, to guard the interests of the people, and to do everything right and just. Why deny the Senate the right to say whether this contract shall be a fair contract or not? He was bound to say that, no matter what the political opinions of the Senate were, if this contract were in the interests of the country, the gentlemen composing that body would be independent enough to pass it. Why prevent them? No man in this house had shown a more independent spirit than the hon. member for South Bruce; when the Government did not do what was right, he

left the House and would not vote with the Government. He (Mr. White) hoped the Government would accept this motion, otherwise the people would say they were afraid there was something behind the screen, something detrimental to their interests, and to the interests of the people we encouraged to go into that Province. That road was to be finished during this summer and completed; why should we hand it over to any corporation for ten years to the injury of the people of that Province. Why not let all parties that build roads leading there have the right to compete for running powers.

MR. MASSON said the hon. member for Chateaugay (Mr. Holton), had stated that in England there never was a precedent of a contract being submitted to both Houses for approval. He would cite an example, the Royal dockyard's contract.

MR. BLAKE: That was only to be laid before Parliament, not to be submitted for approval.

MR. MASSON said he would like to know what was the use of laying a contract before a House, if it were not to be approved or disapproved. The law stated it should become law, if not disapproved in the interim.

MR. BLAKE: That is citing from Todd. I asked Todd what the authorities were. I particularly enquired whether there was anything more than laying before the House, whether there was any question of approval and he said, "No."

MR. MASSON: If the hon. gentleman can use Todd, so can I. He told me that was the only example, and that the fact of laying a contract before Parliament implied the right of Parliament to approve or disapprove it.

MR. BLAKE: That is Todd's argument; I want his facts.

MR. MACKENZIE said the Pacific Railway Act which provided that the contract should be approved by this House, also provided in section 19 that

copies of all contracts should be laid before the two Houses but only subject to approval of this House.

MR. MASSON: That does not follow at all.

MR. TUPPER: I rise to a question of order, eight hon. members have demanded yeas and nays. Every one demanding the yeas and nays must vote against the resolution.

MR. SPEAKER said our practice differed materially from that of the House of Commons. Our rules said upon a division, the yeas and nays shall not be entered upon the minutes unless demanded by five members.

Motion agreed to on the following division.

YEAS :  
Messieurs

Appleby,	Jones (Halifax),
Archibald,	Kerr,
Bain,	Killam,
Béchar,	Kirk,
Bernier,	Lafamme,
Sertram,	Lajoie,
Biggar,	Landerkin,
Blackburn,	Langlois,
Blain,	Laurier,
Blake,	McDonald, (Cornwall),
Borron,	MacDonnell (Inverness)
Bowman,	Macdougall (East El
Boyer,	gin),
Brouse,	McDougall (S. Renfrew),
Brown,	MacKay (Gape Breton),
Bunster,	Mackenzie,
Burk,	McGregor,
Burpee (St. John,)	McIntyre,
Burpee (Sanbury)	McInnes,
Carmichael,	McNab,
Cartwright,	Malouin,
Casgrain,	Metcalfe,
Cheval,	Mills,
Christie,	Norris,
Church,	Oliver,
Coffin,	Paterson,
Coupal,	Perry,
Devlin,	Pettes,
Dymond,	Pickard,
Ferris,	Power,
Fiset,	Ray,
Fleming,	Ross (West Middlesex),
Flynn,	Rymal,
Forbes,	Scatcherd,
Galbraith,	Scrifer,
Gibson,	Sinclair,
Gillies,	Skinner,
Gillmor,	Smith (Peel),
Goudge,	Smith (Westmoreland),
Greenway,	Snider,
Hall,	St. Jean,
Higinbotham,	Taschereau,
Holton,	Thompson (Haldimand)
Horton,	Trow,
Huntington,	Wallace (Albert),
Irving,	Young.—92.
Jetté,	

NAYS :  
Messieurs

Benoit,	McQuade,
Bolduc,	Masson,
Bourbeau,	Monteith,
Daoust,	Montplaisir,
Desjardins,	Pinsonneault,
Dewdney,	Platt,
Dugas,	Plumb,
Flesher,	Robinson,
Gibbs (North Ontario),	Rochester,
Gill,	Roy,
Hurteau,	Ryan,
Jones (South Leeds),	Tupper,
Kirkpatrick,	Wade,
Langevin,	Wallace (S. Norfolk),
Lanthier,	White (East Hastings),
Little,	White (N. Renfrew),
	—32.

CRIMES OF VIOLENCE PREVENTION  
BILL.—[BILL No. 77.]

(Mr. Mackenzie.)

THIRD READING.

Order for third reading read.

MR. WHITE (East Hastings) said that no one in the House regretted more than himself that it was necessary to bring this Bill before the House; and he hoped that it would have its effect. He was very glad that the hon. member for South Bruce had prepared this Bill, and that the Government had accepted it as a Government Bill, and he hoped and trusted that they would carry it out in the interests of the people of this country. He thought that it would not be out of place to enquire whether they could not arrive at some kind of arrangement by which no difficulty would be experienced in putting this Bill into force. It was a well known fact that, on the last 12th of July, in the city of Montreal, a large number of people having equal rights and privileges with others on that day to walk in public, when asked not to do so by clergymen and prominent citizens, and some of these citizens, members of the Church of Rome, consented, but, unfortunately, a young man was killed. It was not necessary now to discuss how this man met his death, further than to say that he was foully murdered, and the only cause for this murder was because he protected a lady who wore an orange lily. In this country, we should bear in mind that we should bear each other's burdens, as it were; and bear patiently one with the other.

MR. SPEAKER.

We should take the fact into consideration that we had our likes and dislikes; and he would not give the snap of his finger for a man who would not stand up for what he believed to be right, and to support and maintain the church and minister of his choice. It was a pity that in this country we could not regard the shamrock and lily as emblems that would hurt no party. The same dew from Heaven that nourished the one, nourished the other; and why should he not stand up in the House to say that if one lady saw fit to wear a shamrock and another a lily, each had a perfect right to do so without being insulted or ridiculed by any party. Unfortunately, owing to the carrying of a lily, this young man lost his life. There was but one opinion to the effect, that if the Mayor of Montreal had, on that occasion, discharged his duty, this life would not have been taken. If this had not occurred, many lives, since lost, would have been saved; and the hon. member for South Bruce would not have been obliged to use his active mind, ingenious brain, in order to prepare this Bill, and the Government would not have been forced to bring it before the House and country. But it was now here; and unfortunate occurrences were happening day after day in Montreal. They must meet these occurrences, and he thought that if they were sensible men and prepared to bear and forbear, they could arrive at some conclusion that would be satisfactory, and that all these matters would be wiped away and, he trusted, forgotten, though they would not be forgotten by those who had lost relatives in these disturbances. Some believed that it was right enough to walk in public procession, and well enough to take the lives of fellow men; but certainly this should not be done because that was what could not be given again. The Orangemen of the city of Montreal had acted very handsomely in consenting not to walk on the last 12th of July. He begged to thank the hon. the Minister of Public Works for having telegraphed to Montreal when the funeral of this young man took place, to say that he would render assistance, if necessary, to protect the citizens in paying the last act

of respect to the deceased. He did not think that any party could say that the Government was in any way whatever to blame for that unfortunate event, or for the unfortunate events that had since occurred. In the county from which he had the honour to come the Protestants were largely in the majority; but the adherents of each religion walked, one on the 12th of July, and the other on St. Patrick's Day. No one molested or annoyed them, or said an unkind word to them; and he would ask hon. members, whether either Protestantism or Roman Catholicism was injured or benefitted by those events. Not a bit of it. It did not take away one member from the Church of Rome, or injure it, because the Orangemen walked on the 12th. Then, why could they not arrive at some conclusion and arrangement by which the Orangemen could walk in public procession in Montreal, and let no outside influence, or outside parties, go to Montreal on that occasion, and then no harm or injury would be done. It was in the power of both parties to make such an arrangement. He understood that the hon. member for Montreal Centre, and other parties, had done their duty on the last 12th of July, and all they could to save trouble. He would say, let every party enjoy the freedom and privileges which were purchased, as they all believed, by the blood of their ancestors. Let each one worship as he desired, celebrate what day he wished, and walk as he would, so long as he conformed to the laws of the country. He would unhesitatingly say that, when any Orangemen walked in Montreal, and a band played, or the Orangemen encouraged, the playing of such tunes as "Kick the Pope," and "Croppies lie down," it was injurious to the institution, to society, and unbecoming, and he condemned such conduct in the strongest terms. He did not blame parties for being annoyed at it. If they professed to be liberal-minded and Christians, why should they wish any party kicked; and especially when a man was chosen to be the head of a church, and believed to be the right man to occupy that exalted position, why should they wish him to be kicked? They should not do so. Let each party worship as they pleased,

and do as they pleased, as long as they adhered to the rules and the laws of the country. He would say, positively, that, in a quiet way, he had used his utmost exertions—and he still intended to do so—to prevent any Orangemen, with whom he had influence, going to Montreal on the next 12th of July. Why? Because no good could come out of it. They did not want people to go from Upper Canada or other quarters to take away life in Montreal, and they should also say that they did not want rowdies from the United States to come to Montreal and take away life. He believed that the only parties that would be benefitted by these proceedings would be the railway companies and the Montreal hotels. Either parties going there would be so much the poorer for the money expended. The Orangemen in Montreal, and Protestantism, would not be benefitted. What good could be done by going to Montreal? If the Orangemen were allowed to walk quietly and peaceably in that city on the approaching 12th, he was certain they would not play any offensive tunes; and the whole difficulty and all the difficulties that stood in the way would be overcome, and no party would be hurt, molested or injured. It was no harm for him to say that this was the general feeling. The members of the Orange Society were anxious to be courteous to those who differed from them in opinion. In Toronto, not long since, the Orange procession stopped to let some clergymen of the Church of Rome pass; and why should they not have men of talent, ability and education, though differing from them in opinion. It was not long since, when the Orange Young Britons passed the Cathedral in Ottawa, when high mass was in progress in respect for the memory of the head of the Roman Catholic Church, they did not play tunes or in any way disturb this meeting. They threw down the olive branch, and it should be taken up by the intelligent and independent Roman Catholics of Montreal. A word or two from the gentleman who occupied the high position of R. C. Bishop of Montreal, and all would have been quiet and peace. It was an honour to him to have such

an influence over his people. If the Bishop of Montreal would say to his people: "Let the Orangemen walk on the 12th July," and if the City Council would guarantee protection, and if the *True Witness* would advocate it, all the difficulty would be overcome, this Bill would never be enforced, and peace and harmony and good will would prevail. He hoped he had not said a word that would make anyone feel aggrieved; although for one word that he had used he would suffer in some quarters from excitable members of the Orange Order, for he did not think that it was a good thing to go to Montreal on the 12th, nor that this was necessary or would be beneficial. Why should they deny to anyone the right, if they wished to walk in procession on that day; or say to them: "You are the minority, and we, the majority, will crush you?" This would work both ways. In Upper Canada Protestants could say that they would crush out the parties who celebrated St. Patrick's day; but it would not be right. This would place them in an unfortunate, uncomfortable and unjust position. He hoped that the majority of the people of Montreal, and those who represented the Catholics would say: "Let the Orangemen walk and enjoy themselves and do as they like, as long as they did not play insulting and uncalled-for tunes." He hoped and trusted that if such an offer was made, such tunes would not be played, and that the Orangemen would not do what was not right, or sustained by the laws of the country, but what was right and fair in accordance with rules of the society. An hon. gentleman beside him said they had a right to walk. Certainly; but unless some assurance was given by intelligent men on the opposite side, that no objection would be raised to the programme he mentioned, they would go out, doubtless, prepared to shed blood. How would this Bill stop it, or prevent any man from putting a pistol in his pocket, and preparing to shoot down people or hinder armed parties coming from the other side to prevent this procession. It was well known that there was a law prohibiting the carrying of pistols; but it had not prevented these deaths or

parties being shot down and sent into the presence of God without a minute's preparation. Who was benefitted or what society was advanced by these proceedings? Was the Church of Rome or Protestantism? Not at all. All this was injurious and wrong, and contrary to the harmony and the prosperity of the people of this country. It would not be right for him to forget that the Hon. Frank Smith and many other prominent Roman Catholic gentlemen in Toronto had used their utmost exertions to prevent interference with the procession in Montreal on the last 12th of July. He hoped that these gentlemen would still continue to act in as liberal-minded a manner and use their good offices in this regard; and show that nothing would make the country prosper more than the guarantee of equal rights and privileges to all. Our Constitution was as free as the air we breathed; and why should not members of both churches associate together and be friendly one with another, supporting and maintaining the churches and societies of their choice. He believed that the hon. member for Montreal Centre had done his duty on the last 12th, and he thanked the hon. gentleman for doing so. Many gentlemen of intelligence had also done their best on that occasion to prevent a riot in Montreal. There never was a time when it was more necessary than now for all citizens to stand shoulder to shoulder. They did not know how soon the time would come when they would be placed in an unfortunate and uncomfortable position; when the Empire which protected, assisted and stood by us, would be plunged into war with one of the most powerful nations in the world; and then it would be necessary and right to give the Mother Country assistance, and not to jump at each other's throats, and take each other's lives. This was not right, and he would join with any party or body of men and use whatever little influence he had to prevent any one, on the coming 12th, in Montreal, from being insulted or injured, and to prevent any outsiders going there to celebrate the day. The leaders on the opposite side should say:—"These men have rights as well ourselves." It possibly might be offensive



for men to carry Orange flags ; but it was also offensive to carry the Host. But why quarrel with those who hoisted the Host ? He had no right to say that this should not be done. Then the opposite side should say:—"If you wish to carry a flag or emblem you should have the same right and privileges." If they did so faithfully and in a spirit of charity, they would discharge a duty. He was confident that the hon. member for South Bruce would give his assistance in this matter ; and also the hon. the First Minister. In a conversation that day, with the latter hon. gentleman—which was not private—the First Minister had said that he would do anything he possibly could in this relation. He trusted that hon. gentlemen representing the opposite side would express their willingness to Orangemen celebrating the 12th in the way they believed they should. If this was done, he was assured that this difficulty would be overcome and that this Bill would not be required. He hoped that his remarks would be received in the cordial spirit in which they were made. Let each party pursue the course their conscience dictated, and let each allow the other the same rights and privilege ; and not be offended at the right either of the shamrock or the lily. Let Roman Catholics worship as they wished, and walk and carry the Host if they desired to do so ; and let Orangemen do as they wished. Each party should bear patiently with the other, and the people would then be prosperous and happy. The hon. member for Montreal Centre had said that day that Montreal would be ruined if these things continued, and its commerce would be injured. This spirit would spread to other cities, towns and districts ; friend would be turned against friend, neighbour against neighbour, and Church against Church, and where would all this end ? And after they had done, who would be benefitted or advantaged ? He trusted that some conciliatory arrangement would be made, and the difficulty overcome for the sake of peace and humanity.

Mr. DEVLIN said he presumed it would not be unreasonable for him to

say a few words on this subject, after the eloquent speech of the hon. member for East Hastings. He fully appreciated the kind sentiments to which the hon. gentleman had given expression. If the hon. gentleman would only carry them a little further in the right direction, and use his powerful influence with the Order in which he occupied a high position, and point out the advantage of abstaining from a procession in Montreal on the next 12th of July, he (Mr. Devlin) had not the least doubt that the peace and happiness and concordance, which he was sure the hon. gentleman sincerely wished, would be maintained. For his own part, he would be very glad, indeed, if he could give any pledge or promise, such as the hon. gentleman desired to exact in this House, though this was not the place to make such a pledge or promise ; but he was forced to say from his knowledge of transpiring events, that, in his judgment, if the Orangemen persisted in celebrating the 12th of July in Montreal by procession, it would be regarded as an act of offence and insult, and he very much feared that it would be the cause of bloodshed, and riot, and of disorder, which every good man in the Dominion would, no doubt, regret. He would only remark, for the information of the House, though he supposed it unnecessary, that until last year there never was within his recollection an attempt made to have an Orange procession in the streets of Montreal ; and perhaps it would not be amiss for him to say that in the Province of Quebec, the entire English-speaking population, Catholic and Protestant, did not exceed 150,000. It was essentially a Catholic Province, and no attempt was ever made until last year, in his recollection, to have a procession that would give offence to the people of Montreal. It was useless, however, to discuss the question here, and he only hoped that the gentlemen on the opposite side of the House—and there were very many of them who belonged to the Orange Order and who occupied very high offices in it—would use all the influence they exercised with their followers so as to secure the public peace and prevent Montreal being made a scene of riot and bloodshed on the 12th

of July next. Whatever could be done to avert that misfortune, he had, no doubt, would be done by those who resided in that city, and desired only its welfare and the maintenance of the public peace. There was a strong feeling in the Protestant as well as the Catholic mind of Montreal, in favour of maintaining the public peace at any cost; as he trusted it would be maintained.

MR. ROCHESTER said that as this subject of the 12th of July had been brought up, and remarks had been made on it from both sides of the House, he desired to say something on the matter. It seemed that his hon. friend the member for Montreal Centre (Mr. Devlin), would ignore the right of one portion of the population of the Province of Quebec. He was in favour of equal rights to all parties and classes, no matter who they were and what they were. On the night of the 11th of July last, he (Mr. Rochester) had taken a great deal of trouble in Montreal to try and prevent a walk and a disturbance. He was sent for that evening, and went and met the Orangemen; and, he believed, that it was his influence that night which prevented the walk in Montreal on the last 12th of July. He worked hard till twelve o'clock at night to prevent it. Not that he did not consider that the Orangemen had as much right to walk in the city of Montreal as the Ribbandmen had to walk in the city of Toronto.

MR. DEVLIN: When did the Ribbandmen walk in Toronto?

MR. ROCHESTER said equal rights and privileges should be granted to all parties. That was all that was asked and required.

MR. DEVLIN: I have asked a question? The hon. gentleman had stated that Ribbandmen had walked in Toronto. He (Mr. Devlin) asked when?

MR. ROCHESTER said if it suited him he would answer it; and if it did not suit him, he would not. The hon. member for East Hastings was correct when he said that it was against the rules of the Orangemen of this country to give offence. Nor did they wish to

give offence to any person. But in all classes of the community there were certain parties who would get the worse for liquor, and one man in that state would make a great deal of disturbance. This was a very hard thing to guard against. He thought the Orangemen should not play any of the party tunes which were distasteful to their Roman Catholic friends. He had said this to lodges, and at gatherings on the 12th of July, and he said so here, and he was an Orangeman of over 30 years' standing, though he was an Englishman. His hon. friend from Montreal Centre had asked him a question about Ribbandmen walking. The hon. gentlemen must think that a certain portion of this community were very — he would not make the remark, when he knew that Ribbandmen did walk under the guise of a religious society.

Several Hon. MEMBERS: Oh.

MR. DEVLIN: Have you any authority for making a statement of that kind in the House of Commons. I could understand it if made on a platform or in the lodge-room.

MR. ROCHESTER: I have all the authority you want, but it is not necessary. It is well enough known without my saying anything about it. He said that if their Roman Catholic friends would join with the Protestant community in trying to put down any ill-feeling, and keep it down, no man in the Dominion of Canada would go further to that end than he would. His hon. friend from Montreal did not appear to think that the Protestant community in the Province of Quebec should be allowed to walk in Montreal because they were not Roman Catholics. He thought that was a very narrow and contracted view for the hon. member to take. The Queen's highway should be open to every man, woman and child, no matter to what denomination they belonged. Whatever he could do to promote harmony he would be glad to do.

MR. BLAKE expressed a hope that the discussion would not be much further protracted. While he could not feel any sense of gratification in the House of Commons being called upon

MR. DEVLIN.

to consider such a measure as this, though it was only a temporary measure, it did afford him such gratification as was possible, to find that hon. gentlemen on both sides of the question had concurred in the necessity for the enactment of this law. That was the best evidence: first that they were not proceeding without a due and serious cause; and, secondly, that it could not be conceived by either to be directed against the other party, but was in the interest of peace and order against the violent, the disorderly and the lawless of both parties. This, notably, of all laws, could be operated only by receiving an overwhelming sanction from the locality in which it might be put in force. It was upon the united, earnest, active co-operation of the orderly law-abiding citizens of Montreal of each class of religion, that they must rely, unless this measure was to be on the Statute-book without being useful.

Mr. BUNSTER said that was a serious matter for British Columbia, and he asked the hon member for South Bruce to except British Columbia from the provisions of the Act, inasmuch as a few white people could not protect themselves against 160,000 Indians if the use of fire-arms was prohibited.

Mr. DEVLIN said the Bill would not affect British Columbia at present.

Mr. BUNSTER said they had no difficulty between Irish Catholics, or Irish Protestants. Party tunes were offensive, but he was satisfied the shamrock was not offensive to any Irish Protestant, even if he was an Orangeman. He did not think that it was desirable that Orangeism should spread. There was not the necessity for protection to life and property which existed when Orangeism was first established in Ireland. Irish Protestants and Catholics should blend together to celebrate their national day. He looked upon the Catholic priests of the Dominion of Canada as too intelligent to encourage their flock to bloodshed. He thought their duty was to advise their flock to keep quiet.

Mr. DEVLIN: I think they know their duty without being instructed by the hon. gentleman.

Mr. BUNSTER said they had done a great deal of good among the Indians. He did not look upon the Orange day as a national day, but he looked upon St. Patrick's day in that light. He again requested that British Columbia might be exempted from the operations of the Act.

Mr. BLAKE: The Bill is intended only to put down large bodies of riotous and lawless persons. It is the unanimous opinion of the House that there is but one person in British Columbia whom it is expedient to put down, therefore the Bill will not be applicable.

Amendments read the second time and agreed to.

Mr. MACKENZIE moved the third reading of the Bill.

Mr. WHITE (East Hastings) said the hon. member for Montreal Centre (Mr. Devlin) had appeared to him to use his influence to prevent a procession taking place in Montreal on the 12th July. That he could not do. The only thing he could do was to advise that the Orangemen of Montreal should walk there, and that others should not visit them. The hon. gentleman had said that if they did walk there would be bloodshed. How, then, could he (Mr. White) ask the people in Upper Canada not go to Montreal. They would say they ought to go there to assist their friends. If the Orangemen of Montreal obtained their right he would use his influence to prevent anyone else from going there. He thought charity should enter into the hearts of the people of Montreal, when there were so many thousands of a majority, they ought, surely, to allow a few hundreds to exercise their right. It was his own countrymen who caused this difficulty. He was sure that the French Canadian Roman Catholics would allow the Orangemen of Montreal to walk. Why should not they be allowed to walk in peace? He would say to his friends: "Don't go to Montreal prepared to injure your neighbours by taking the lives of your wife's brothers or their sons." He hoped that this great difficulty which was anticipated would be overcome, and that the Orangemen of Montreal

would be allowed to walk in peace. But he could not use any more influence than he had. He could not prevent a great number from going there, but he should advise them to keep within the laws of the country; to give no offence and to be slow to take it. He was sorry that the hon. member (Mr. Devlin) could not have made a statement that this matter would be satisfactorily settled in this way. He thanked the hon. member for South Bruce (Mr. Blake) for his speech on the introduction of this Bill, and he hoped the Government would see that this measure was strictly carried out on both sides. He believed that the Orange Young Britons of the city of Montreal had appeared in public oftener than they should have appeared. He hoped, if that were so, that the Government would keep them within bounds. Under present circumstances hundreds of thousands would spend money in going to Montreal, which their families required, simply because a great interest was to be sustained, and they would stand by others and not allow them to be crushed out. He hoped there was nothing in the character of Ribbonism in this country. He did not say there was, and he did not know there was. The conduct of the Roman Catholics of the county of Hastings was a credit to themselves. There were three Roman Catholic parishes there which advocated common schools, and celebrated St. Patrick's day as honourable, decent and sober men. From 10,000 to 15,000 men walked in the city of Belleville on that day, and at six o'clock in the afternoon strangers would not know there was anybody there. In that county both Orangemen and Catholics walked in peace, and why could they not in Montreal? If the people of Montreal did not seriously consider this matter he was afraid a difficulty would arise which would call for Government interference.

MR. ROCHESTER said that as to his remark in regard to Ribbonism, he should have said that it was reported that Ribbon lodges walked under the guise of charitable associations—not, however, that he knew anything about it.

MR. WHITE.

MR. DEVLIN said he thought it was very much to be regretted that the hon. gentleman should state, as he had, that the Catholics here had an organization known as the Ribbon organization, and that they walked under the one or the other guise. A discussion of this question in the House could produce no useful result, and when he made the statement he had made, with reference to a procession in Montreal, on the 12th of July next, he merely stated a fact known to everyone in Montreal, and to most people in the Dominion. The Protestant Bishop of Montreal, and 30 or 40 Protestant clergymen had presented a request to the Orangemen of Montreal, to induce them to abandon their procession in the interest of peace and charity. They had refused that request. They had stated that they would walk, notwithstanding the request of their bishop and clergymen; and his (Mr. Devlin's) opinion was that if they did walk the result would be most disastrous for Montreal, and for the Dominion. Therefore, it was for the gentlemen who stood high in the Orange order, to use their influence to prevent such a result.

MR. ROCHESTER: Why do not you do the same on your side?

MR. DEVLIN: We have.

Bill read the third time and passed.

#### SUPPLY.

##### SUPPLEMENTARY ESTIMATES.

House again resolved itself into Committee of Supply.

(In the Committee.)

##### CHARGES OF MANAGEMENT.

208 For additional amount required for Seigniorial Tenure Commission ..... \$1,500 00

##### PRISONERS.

209	{	Kingston—Staff, salaries.....	450 00
		Clothing.....	35 00
		Capital Account, new machinery.....	415 00

210	St. Vincent de Paul—Staff, Gratuities to retiring Officers .....	1,100 00
	Convicts' maintenance ...	2,035 47
	Repairs to buildings .....	200 00
	Capital Account, to complete Tramway.....	780 00
	Farm and Stables, to replace loss by fire .....	6,200 06
211	St. John—Staff, salaries.....	360 00
	Convicts' maintenance.....	5,630 00
	Maintenance of machinery	300 00
212	Material for manufacture	600 00
	Manitoba—Convicts' maintenance .....	2,700 00
	Farm .....	827 00
	Maintenance of buildings	357 00
	Capital Account: Furnishings for the new building, lumber, machinery and surgical instruments	1,952 42

## LEGISLATION.

213	House of Commons—Amount required for the publication of the Debates.....	10,000 00
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## ARTS, AGRICULTURAL AND STATISTICS.

214	Criminal Statistics—Balance of Appropriation of 1876-77 unexpended on 30th September, 1877, and carried forward by Special Warrant (Revote).....	4,558 75
215	Sydney Exhibition—Balance of Appropriation of 1876-77 unexpended on 30th September, 1877, and carried forward by Special Warrant (Revote).....	6,959 81
216	Paris Exhibition—Amount required to complete the services for the year.....	50,000 00

## IMMIGRATION AND QUARANTINE.

217	Mennonite Loan—Balance of 1876-77 (Revote) .....	7,600 00
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MR. PLUMB objected to the system of bringing down large Supplementary Estimates, which was calculated to mislead the House.

MR. CARTWRIGHT: Our rule is that everything spent after the 1st of July in that way is charged to the present year. Last year is closed. You have the Public Accounts, and I cannot meddle with them. This must go to the expenditure of the current year. The law does not allow us to charge to the past year, but only to prolong the period during which the money can be spent, and it must be charged within the year in which it spent.

MR. PLUMB: Is the whole of this to be charged to the expenditure of the current year?

MR. CARTWRIGHT: And the \$188,000 marked as unprovided items was spent last year, and charged in last year's accounts.

MR. PLUMB: Then the amount to be added to the expenditure of the current year is \$659,320.49.

MR. CARTWRIGHT; Yes; it appears to be spent; a very large amount always lapses. Last year, for principal and interest, a considerable sum over three millions lapsed; of course, a large proportion of these two millions was on account of capital rates; but a sum fully equivalent to \$600,000 or \$700,000 and much more will lapse out of the appropriations for the year 1877; and this thing is always occurring. I have traced it all through from 1876, and it was one of several reasons which induced me to lay last year before the House the proposition to which this House, but the other did not concur in altering the period of our financial year. I find it quite impossible in the case of Public Works and Militia, and also pretty largely in the case of railroads, to prevent these things lapsing over and over; and, undoubtedly, whatever other effect it may have, this is a little apt to confuse members in tracing the expenditure of the current year; but as long as we retain the 1st of July, a good deal of that is inevitable.

MR. PLUMB: Then to the expenditure of 23 million odd for 1877-8, we are to add \$659,324?

MR. CARTWRIGHT: Yes; as estimates. It is only fair to note that almost certainly a very considerable amount of this will lapse. Probably a sum very nearly equal to the sum here voted. The accounts show that this is almost sure to happen, and it is normal.

MR. PLUMB said that this system of bringing down Supplementary Estimates was excessively misleading.

MR. CARTWRIGHT said that ever since we had got into public works to any extent, and into the management of railways, these Estimates had been very heavy indeed. In 1873, the first and last of these Estimates had

amounted to 1½ millions, part, of course, going to capital, and part to other accounts, and so on during almost all the other years. He did not like it more than the hon. gentleman, but it was practically impossible to avoid it. The vote here for the St. John's fire and the Prince Edward Island Railway could not have been predicted, and the vote for the Halifax Commission would probably be refunded in one way or other.

**MR. TUPPER:** What do you mean by refunded in one way or other?

**MR. CARTWRIGHT:** The British Government made an agreement, as the hon. gentleman is aware, to pay a large proportion of it. No doubt this practice is to be deprecated as much as possible.

**MR. PLUMB** said that in the Imperial House of Commons this practice of bringing down Supplementary Estimates was very strongly condemned. The system was misleading, and important votes were now brought down which, at this late period of the Session, the House was not in a humour to discuss properly and intelligently. The practice was highly objectionable in all respects; and the hon. gentleman had added largely to these Estimates. The practice had grown.

**MR. CARTWRIGHT:** That is not correct. In 1872 the Supplementary Estimates altogether amounted to \$1,823,341—one for \$1,134,350 and the other for \$688,999. These do not appear to have included unprovided items.

**MR. PLUMB** said he could not see any necessity for bringing down many of these votes in this manner. The head of a Reform Administration should have changed this objectionable system.

**MR. CARTWRIGHT** said he agreed, to some extent, with the hon. gentleman. The practice was unobjectionable, and he attempted to change it last year, but the Senate, acting, he believed, under a misapprehension, had neglected the Bill.

**MR. LANGEVIN** said that when the new system was introduced of allowing the Government by Order-in-

Council to carry over votes for the previous year which were not expended and were required to meet the engagements of the different debts for three months, July, August and September, it was intended that the expenditure of the Government should be kept within and voted within that time; but he found that such an Order-in-Council had been passed on the 17th October. This was really in his opinion not in accordance with the law. If they had the votes carried over between July and October, and added them to the \$688,000, they would see how matters stood.

**MR. CARTWRIGHT.** The hon. gentleman will find, on page 346 the sums total carried over under that Act, a great proportion of which is carried over here, or asked for, is part of those votes. It was not spent before 1st of October. A great proportion less the capital account on simply repetitions of the unexpended balances carried forward; and not spent within the three months, though this was expected. We must allow the Militia vote, and that for a considerable number of public works and buildings in the category.

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

### After Recess.

**MR. LANGEVIN** said that although the law allowed the Government by Orders in Council to carry over appropriations of the previous year, to the first of October of the current year, it was intended that on the first of October, the expenditure for the year ending on the 1st July, should cease. He saw by this Supplementary Estimate that a number of revotes were asked, which were evidently beyond the votes carried over.

**MR. CARTWRIGHT:** In the greater number of cases they are parts of them.

**MR. LANGEVIN** said it was evident that a portion of the sums carried over for the three months, had not been paid during those three months, and the hon. gentleman now wished to get

authority to pay further sums. It was important that the department should be kept within the appropriation and within the time fixed by law, otherwise the House could never know where it stood. The expenditure was said in one year to amount to so much, and then by revotes, and amounts carried over, and Supplementary Estimates, the amount was largely increased. It was that some of the items in the Supplementary Estimates could not be foreseen, but a large number of them ought to have been foreseen with more accuracy.

SIR JOHN A. MACDONALD said this was a more serious question than the hon. gentleman opposite seemed to think. For all these re-votes there were supposed to be special warrants. There had been a decided breach of the law, and the Government had spent large sums of money unconstitutionally and against the express terms of the law. In the first place, with respect to these lapsed balances, before the Act was passed in 1876 allowing an extension of three months, if any balance remained unexpended, it was absolutely gone.

MR. CARTWRIGHT: No; that was not the practice of the hon. gentleman.

SIR JOHN A. MACDONALD: I am not talking about the practice, but the law.

MR. CARTWRIGHT: It was disregarded.

SIR JOHN A. MACDONALD said the 38th section of the 31st Vic. chap. 45, was as follows:—

“The said Public Accounts shall include the period from the 30th of June in one year to the 30th of June in the next year, which period shall constitute the financial year; all Estimates submitted to Parliament shall be for the services coming in the course of payment during the financial year; and all balances of appropriation which remain unexpended at the end of the financial year shall lapse and be written off.”

That was the Statute, which was obligatory on the late Government, obligatory on the present Government, and until repealed obligatory on all Governments; and whether the present, or the late, or any other

Government, disregarded the Statute, it was equally a breach of the law. On the 30th of June in any year, any balance of appropriation voted by Parliament absolutely lapsed as if it had never been made; and any expenditure of any such lapsed balances was illegal and in the teeth of the Statute, and was an expenditure for which the Government required to get a special Act of indemnity. The Act of 1876 provided that upon cause being shown to the satisfaction of the Governor in Council, he might by Order-in-Council extend the time for finally closing the appropriation for the period of three months, and that after the expiration of such time, and not before, the balance should lapse and be written off. If the 30th of June passed, the balance lapsed. They could not revive by any Order-in-Council, the right to expend a balance which had once been lapsed; so that, if the Government could not expend the whole of the money within the financial year, they must, before it was lapsed, extend the time by Order-in-Council until the 1st October. If that were not done, they must wait until Parliament met. He found by the return of the 15th of April that the Government were not acting in ignorance of the facts, but were sinning against their own knowledge of the law. He found that on the recommendation of the Minister of Public Works, respecting the Intercolonial Railway, the balance was extended by Order in Council of the 9th June, 1877. That was all right. He found that afterwards, on the recommendation of the Minister of Militia, a balance was extended by Order-in-Council of the 25th of June—that was within the time—as was also an amount required for the St. Vincent de Paul Penitentiary which was extended on the same date. Then they found a series of Orders-in-Council all of which were illegal and unconstitutional. By an Order-in-Council of the 12th of July—12 days too late—amounts were extended for the St. Peter's Canal, for the Examining Warehouse in Toronto, for the Custom House, Gaelph, for the Military School Kingston, and for the Harbour of Shippegan. All these sums had been

spent illegally, because they were lapsed before the Order-in-Council was passed. So he found an amount for the grasshopper relief in Manitoba, extended on the 6th of August. A supplementary vote for the expenses of the New South Wales Exhibition, and one for the preparation of Criminal Statistics, and one for the unexpended balance for census purposes. All expended on the same date. All these were illegal and unauthorized by law. And not only that, the chief amount had been expended not only after the 30th of June but, after the three months beyond that had expired. The utmost extent to which it could be carried on was to the 1st of October, and yet they found that on the 19th of October, there was an Order-in-Council authorizing the expenditure of large sums of money. This was a double irregularity. The Government were aware that they had broken the law and were personally chargeable for the expenditure of this money, and then they passed Orders-in-Council for special warrants. Take one instance in which the Government were authorized to spend \$236,587 chargeable to capital, and \$34,718 chargeable to income. Here was the report:

"On a memorandum dated the 15th October, 1877, from the hon. the Minister of Finance, stating that having had under consideration the reports of the Ministers of Public Works, Militia and Agriculture, respecting certain balances of appropriations of 1876-77 which have lapsed, and it appearing that the continued expenditure for these services, which are not otherwise provided for, is necessary, he concurs in the recommendations that these appropriations be provided for by the Governor General's warrant in accordance with the provisions of the Act 31 Vic., chap. 5, sec. 35.

There was no necessity for special warrants if the votes had not lapsed. The only thing to do was, before the 30th of June, to extend the time. But no, they had neglected to do so, they tried how they could get round the law, and so they had recourse to a special warrant.

MR. CARTWRIGHT: They could not extend the vote beyond the 1st October in any case, and that was dated subsequently.

SIR JOHN A. MACDONALD.

SIR JOHN A. MACDONALD: They cannot revive a dead vote; they can only extend a vote when it is alive.

MR. CARTWRIGHT: Of course.

SIR JOHN A. MACDONALD: The time had gone and the Government had no power to extend it. Then what were the cases in which the Government could issue special warrants.

"If, when Parliament is not in Session, any accident happens to any public work or building which requires an immediate outlay for the repair thereof, or any other occasion arises when any expenditure, not foreseen or provided for by Parliament, is urgently and immediately required for the public good, then, upon the report of the Minister of Finance that there is no Parliamentary provision, and of the Minister having charge of the particular service in question that the necessity is urgent, the Governor-in-Council may order a special warrant to be prepared," etc.

In the Order-in-Council there was no suggestion that this was unforeseen, or that it was not provided for. No Minister could candidly, or honestly, say that these expenditures were not foreseen, because they had been especially provided for by Parliament.

MR. CARTWRIGHT: There was no Parliamentary provision. It had ceased.

SIR JOHN A. MACDONALD said the whole meaning of the clause referred to an unforeseen emergency, like that in St. John, where the fire swept away the public buildings, or the case of an inundation by which the canal locks were swept away, so that the Minister could honestly state that there was an urgent and immediate necessity for the expenditure. But this was an attempt to set aside the authority and control of Parliament, because the money had run out. Suppose that, instead of any one of these votes being lapsed, the whole of the money had been expended, and some of the work had been unfinished, would any hon. gentleman, or any constitutional lawyer contend that, because the estimate voted by Parliament was insufficient, the Government could issue a special warrant to finish those works. That was not the principle upon which such votes were made. It would make parliamentary control a farce, and worse



than a farce. The hon. the Premier, when in Opposition, had taken the ground that, in the time of the late Government, there was not a sufficient parliamentary control. The statement was rung through the country, that they had exceeded their authority, and expended money for which they had not the authority of Parliament; and it was alleged that the new Government were going to bring Parliamentary expenditure completely within the control of Parliament. It was important that that control should be exercised before the money was expended. The object of these statutes was to have a preventative effect. The whole benefit of these Acts was lost, if the Government could do what they pleased in the way of expenditure, trusting to the subsequent vote of a majority. It was to prevent the Government becoming despotic, because they had a majority behind them, that these statutes were passed. So much was that the fact, that, as they all knew in a similar case, the British Parliament was not satisfied, the Chancellor of the Exchequer was not satisfied, the British Parliament would not allow him to be satisfied by a subsequent insertion in the Estimates of the next year of the unauthorized expenditure of the Government. In such cases there was an Act of indemnity introduced, such as was introduced by the late Government, of which he had been a member, to cover the expenditure which they were obliged to make between the 1st July, 1867, and the first Session of the first Parliament of the Dominion of Canada. This matter was of the very greatest importance, because it had not been done in ignorance. The Government saw that they had by error, or by omission, or perhaps by the neglect of a subordinate officer, omitted to carry on these lapsed balances; but there was no justification for the course they had taken. This was a very serious matter, and deserved to be brought before this Committee, and before the House, in order that any Government, whether present or future, should be prevented from acting in this way. If the late Government had, on any occasion, set a bad example, hon. gentlemen were

bound to cure it. They ought not to set a bad example to their successors, whoever they might be, in following what they termed the evil paths of the corrupt, effete Government which preceded them.

MR. CARTWRIGHT, while admitting generally the correctness of the principle contended for by the hon. gentleman, pointed out that there were cases of emergency in which all Governments must depart from the rule laid down in the statute. The evil complained of would be largely ameliorated if the change in the period of the fiscal year which he had recommended had been made.

SIR JOHN A. MACDONALD said he could hardly add anything after the admission of the Finance Minister. He might say, though, that there could certainly be no urgency for such works as the tower to the Western Block.

MR. CARTWRIGHT: We did not spend the money there. We only intended to do so.

SIR JOHN A. MACDONALD said the hon. gentleman had the intention to do the act, but not the audacity.

MR. CARTWRIGHT: Oh, well, they say good intentions pave the road to one place; perhaps bad intentions pave the road to another.

*Vote agreed to.*

#### MILITIA.

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| 218. Ammunition — Balance of Appropriation of 1876-77 unexpended on 30th September, 1877, and carried forward by Special Warrant (Revote) .....                  | \$23,854 99 |
| 219. Clothing—Balance of Appropriation of 1876-77 unexpended on 30th September, 1877, and carried forward by Special Warrant (Revote) .....                      | 10,078 12   |
| 220. Military Stores—Balance of Appropriation of 1876-77 unexpended on 30th September, 1877, and carried forward by Special Warrant (Revote) .....               | 25,642 21   |
| 221. Drill Sheds and Rifle Ranges —Balance of Appropriation of 1876-77 unexpended on 30th September, 1877, and carried forward by Special Warrant (Revote) ..... | 2,771 54    |

222. Ordnance and Equipment of Garrison Artillery — Balance of Appropriation of 1876-77 unexpended on 30th September, 1877, and carried forward by Special Warrant (Revote) ..... 9,626 48

MR. BUNSTER urged that a shed should be erected at Nanaimo for the use of the volunteers there. He complained that the Palliser gun sent to Esquimalt was to be placed at Quebec.

MR. JONES (Halifax) said the gun was not cast yet, but when it arrived the Government would decide as to its destination.

MR. MACKAY said he would draw the attention of the Government to the fact that Sydney Harbour, which was frequented by a large number of vessels, was perfectly defenceless; there were also the mines, which required protection. He felt it his duty to call the attention of the hon. the Minister of Militia seriously to the fact, that there was so much valuable property in and about the port of Sydney. Hundreds, and he might say thousands, of vessels went there annually and they were entirely open to having a raid made upon them by vessels which, under ordinary circumstances, if there were only some means of defence, might be wholly prevented.

MR. JONES (Halifax) said the Government had fully recognised the importance of making preparations for the defence of so important a place as Port Sydney; but, of course, at present, as the hon. gentleman was aware no preparations on any very great scale or expenditure on any great scale had been made in reference to any part of the coast. However, they had in view what had been going on, and the Department had been bestowing attention on this subject. They had already given orders to organize a battery of artillery at Sydney, and were about despatching three or four guns for the battery for the defence of the harbour in case of necessity.

Vote agreed to.

MR. CARTWRIGHT.

	Mounted Police, N. W. T. required to pay for supplies furnished in previous years .....	\$10,772 78
223	Amounts required to cover expenditure incurred for buildings in 1875.6 ....	8,110 43
	Amount required for buildings, 1877-78 .....	10,000 00
		<hr/> \$28,883 21

In answer to MR. LANGEVIN,

MR. CARTWRIGHT said that the first item \$10,772.78 was wholly composed, he was informed, of a variety of supplies furnished at different times and places by the Hudson Bay Company to portions of the force while marching about in that region. Until very recently they could not get in accounts together, much less check them. There were he supposed \$2,000 or \$3,000 in each year or thereabouts some of it dated back as far as 1874 and 1875 certainly. The remainder was incurred during 1876-7. In travelling over that country it was an object to carry as little supplies as possible, and the force had had to indent, from time to time, on the Hudson Bay stores, which were always tolerably well supplied. The others were sums expended on buildings at Fort McLeod, which was being reconstructed at Wood Mountain, at Milk River Post, at one or two other posts in that vicinity, and at Fort Saskatchewan and other places. Originally these posts, though reasonably well built, as far as the walls went, were roofed with mud, and since they had sent portable mills to these points, they had replaced the roofing in vogue with boards and shingles as fast as the troopers could manufacture them. These four or five posts were where this expenditure had chiefly taken place. The task of providing suitable buildings for so large a body of men with horses, at four or five distant posts, was rather an enterprise. All the work that was possible was done by the men themselves.

MR. LANGEVIN: Could not the accounts for these \$10,772 been in before 1878?

MR. CARTWRIGHT: They were applied for, but only sent in within a

few weeks, at the outside four or five months.

MR. LANGEVIN: I am afraid that this is due to the bad management of the force. It was very bad at the time. We could not obtain the accounts, and for two years we voted large sums without proper information. We complained of it frequently, and the result is, we find that the accounts are left behind, and now \$10,772 is to be paid. How much more is to come?

MR. CARTWRIGHT: I am informed that this closes the matter. This force commenced its career under very difficult circumstances indeed. They were sent 1,000 miles from their base of supply, Winnipeg, and back, in all 2,000 miles, as nearly as I recollect. We did not then know the country as well as now; and there was undoubtedly an immense expenditure of horse flesh and a very considerable expenditure of stores and supplies, quite above the ordinary rate. It was not until well in 1876, that we could pretend to get the accounts into anything like regular order, or place the men at regular quarters.

MR. LANGEVIN: The force is most costly.

MR. CARTWRIGHT: It is.

MR. LANGEVIN: It is the most costly service in the world per man.

MR. CARTWRIGHT: The United States force is much more expensive.

MR. LANGEVIN said the expenditure would be found extremely large if all the items were added together. The horse feed cost a very great deal, as would be found if the total was divided by the number of horses.

MR. CARTWRIGHT: I have done it often enough.

MR. LANGEVIN: It is enormous.

MR. CARTWRIGHT: It is very heavy.

MR. LANGEVIN said that the expenditure should be reduced in the future. It could be done, and still keep the force efficient.

AN HON. MEMBER: Who are the furnishers?

MR. LANGEVIN: They are numerous. I have no doubt that, after the examination which was made before the Public Accounts Committee, hon. gentlemen opposite will see that the contract system there has to be looked after and remedied with proper care. Undoubtedly, better articles may be furnished and at a lower rate. We should have had this vote of \$8,110 for buildings in 1875-6. The hon. gentleman should have known that shelter was required. We should not be asked after three years have elapsed to vote money already expended. Has this item been expended?

MR. CARTWRIGHT: I imagine not from the statement here.

MR. LANGEVIN: Where is it required.

MR. CARTWRIGHT: At the several points I have enumerated.

MR. LANGEVIN: For present shelter?

MR. CARTWRIGHT: Partly for enlarging considerably these several posts, and partly for putting these buildings in better order. It is necessary to shingle and board them. We have had to surround them in many places with picket fences and provide something in the nature of magazines and officers' quarters.

MR. POPE (Compton) said that the ordinary estimates showed a reduction in connection with this force of \$300, and here was an additional expenditure of nearly \$29,000.

MR. CARTWRIGHT said that the average expenditure was about \$1,000 per man and horse, and the total about \$350,000 per annum. In the present state of the country he did not consider any material reduction possible; but these expenditures were decreasing, and he hoped that they would decrease very considerably; but under no circumstances, owing to the high rate they must pay for good men, could the expenditure be reduced much below \$700 or \$800 per man and horse, including all contingent expenses. This might be taken as about the fair nominal expenditure. The bulk of this extra expenditure was for buildings.

MR. KIRKPATRICK: The hon. gentleman said the other day that the cost of this police force arose in a great measure from the cost of transporting supplies, and he noticed in particular the article of oats.

MR. CARTWRIGHT: Yes.

MR. KIRKPATRICK said he held in his hand a letter from Battleford, in which complaint was made that all these transactions for oats were made at Winnipeg, and consequently the cost of transporting them to outlying districts was great.

MR. CARTWRIGHT: Quite a mistake.

MR. KIRKPATRICK said this letter informed him that oats from Winnipeg up there cost from \$2.60 to \$3, of which \$2.38 was freight, at the rate of 7c. a pound, while the same quality of oats could be got in Battleford for \$1.50. Oats, as far as possible, should be purchased at these parts, and thus cultivation should be encouraged.

MR. CARTWRIGHT said that they had very few troopers at Battleford. The great bulk of feed was required at Fort Walsh and Fort McLeod, which could not be supplied from Battleford. The cost of oats was, however, reduced to \$1.50. At Battleford the total expenditure for this purpose would be small; of course, these officers had instructions to get all the oats possible at these posts, but no small quantity was required, and up to the present very little had been raised in these places.

Vote agreed to.

PUBLIC WORKS AND BUILDINGS  
CHARGEABLE TO INCOME.

224.	Beaver Rock, B.C.—Unexpended Balance of 1876-7, carried forward by special warrant, re-vote .....	\$9,800 00
	{ Guelph Custom House—unexpended Balance of 1876-7, carried forward by special warrant, re-vote.....	6,328 26
225.	{ Toronto Post Office—To pay amount of Official Arbitrators' Award to Contractors, etc., partly paid out of "Unforeseen Expenses, <i>vide</i> Parliamentary Paper .....	20,000 00

MR. LANGEVIN: Is this the last payment?

MR. CARTWRIGHT.

MR. MACKENZIE: Yes; it is really already paid. We have taken \$154 for architect's commissions and some small things.

Vote agreed to,

226.	{ Quebec and Lévis Fortifications, Repairs—	
	Expenditure required for this service .....	\$7,200 00
	Montreal Examining Warehouse—Estimated cost for completion of building .....	\$10,000 00
	Montreal Post Office—Amount required for completion of building .....	16,037 07
		33,237 07

MR. MACKENZIE said the last year \$20,000 was in the Estimates for ordinary expenditure for repairs on fortifications. Up to 1st January, 1878, they had expended \$17,191, and \$2,809 was still available. The Chief Architect estimated expenditure, now very desirable, at \$10,000, and the above balance with this vote made up the amount. He did not propose, however, to expend much of this vote; though some of it should be spent during the coming two months before the next financial year began. They had only \$60,000 for all the fortresses.

MR. LANGEVIN: I approve of it.

MR. MACKENZIE said that the gun traverses for fort No. 1 must be attended to. He hoped they would not need to arm the force; but, if possible, fort No. 1, which commanded the channel, must be armed. These traverses should be built at once.

MR. DESJARDINS: What is the amount of extra work done on the Montreal examining warehouse?

MR. MACKENZIE said he could really hardly tell now, the statement had been prepared last Session. Nothing was then done except to deepen the foundations additionally. The present item was chiefly for engines, boilers and hoisting apparatus, partitions and some stairs, and several matters of that sort. The total sum required to complete the building now was \$18,533; and they had on hand about \$3,000.

MR. DESJARDINS: Does the vote for the Montreal post-office include the putting of a clock in the tower?

MR. MACKENZIE: No.

MR. KIRKPATRICK: We will not give them any tick.

MR. LANGEVIN: Is there any claim for the contract still standing?

MR. MACKENZIE: I understand not.

MR. LANGEVIN: How much has the whole building cost?

MR. MACKENZIE: I think about \$350,000—between \$350,000 and \$370,000. The land cost about \$150,000. The old building was sold for \$90,000 or \$100,000; \$10,000 was paid down and the balance was bearing interest at 6 per cent.

Vote agreed to.

227.	St. John, N.B., Public Buildings—Amount of Special Warrant granted for clearing away debris and rebuilding, during the year, the Public Buildings destroyed by fire.....	\$50,000 00
	Buildings, Battleford, N. W. T.—Amount of Special Warrant granted to complete these buildings.....	\$30,000 00
228.	Unexpended balance of 1876-7, carried forward by Special Warrant, on 30th September, 1877, (Revote).....	4,587 88
		\$34,587 88

MR. KIRKPATRICK said he wished for a statement of the buildings erected on Swan River and also at Battleford.

MR. MACKENZIE said he could not give the information at present as to the cost of the Swan River buildings, but the cost of the Battleford buildings had \$58,795, including the Lieutenant-Governor's residence, stables and outbuildings, buildings for the Mounted Police to some extent, with the magazine, and the residences of the Stipendiary Magistrate, the Registrar, and the Clerk of the Council, as well as the Registry Office. All the officers except the Governor paid a rental, but the Government had been obliged to put up the buildings.

Vote agreed to.

229	Penitentiary, B.C.—Amount of Unexpended Balance, 30th September, 1877, carried forward by Special Warrant (Revote).....	\$19,106 89
230	Gas, Public Buildings, Ottawa—To pay for increased consumption during the year.....	5,000 00
231	Cobourg Harbour—Part of Unexpended Balance of 1876-77 (Revote).....	6,583 31
232	Shippegan Breakwater, N.B.—Unexpended Balance of 1876-77, carried forward by Special Warrant (Revote).....	9,630 37
233	Cow Bay, C.B.—Unexpended Balance of 1876-77, carried forward by Special Warrant (Revote).....	1,343 87
234	Colville Bay, Souris Breakwater—Balance due to Contractor.....	8,500 00

LIGHTHOUSE AND COAST SERVICE.

235	Maintenance—To replace Di-optic Apparatus for Machias Seal Island Light destroyed in St. John Fire.....	3,000 00
	To replace Oil destroyed in St. John Fire.....	3,500 00
	Repairing damages at Rondeau Lighthouse.....	1,600 00
	Repairing damages to Breakwater, Goderich Light-house.....	2,600 00
	New Light Ship for the Traverse.....	6 000 00

FISHERIES.

236	Fish-breeding, &c—For new Fish-breeding Establishment, Prince Edward Island.....	2,500 00
	For new Fish-breeding Establishment, Cape Breton.....	2 500 00

SCIENTIFIC INSTITUTIONS.

237	To aid in constructing and maintaining Telegraph Line between Matane and Fox River.....	5,000 00
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STREAMBOAT INSPECTION.

239	To complete remeasurement of Steamers in Inland waters..	300 00
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INDIANS.

238	Indians, Manitoba and North-West—Further amount required for this service.....	10,927 66
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MR. SCRIVER said he desired to refer to the Indians of Two Mountains. He was not present when the discussion took place on the item, and he knew it was not in order to refer to a previous discussion. But he might refer to a letter addressed to the Deputy of the Minister of the Interior,

to the agent of the Department at Oka, in which the views and policy of the Government of the day in reference to those Indians were very distinctly laid down. He regretted that the Government had seen fit in that letter to pronounce so absolutely, as they seemed to have done, an opinion in reference to the rights claimed by the Indians settled there. He had nothing to say as to proprietary rights and rights of the soil; but it could scarcely be maintained that these Indians having resided there so long, and made the improvements they had made, had no rights whatever. Indeed, he believed, under the law of the Province of Quebec, they had some rights in regard to improvements, for which, if they removed from that place, they would be entitled to compensation; and the gentlemen of the Seminary, as they learned from this letter, had recognized those rights by offering to give the Indians a sum of money if they would remove. He regretted also to perceive from the letter that the Government were not disposed to treat the Indians with that liberality which they might fairly claim at their hands. He had no doubt that the Indians were not, in a sense, the wards of the Government, and were not entitled to claim at their hands any amount of money; but they were certainly in an exceptional position. The policy of the Government in reference to the Indians had been in some respect an exceptional one. It was no fault of these Indians that they were situated as they were, and that they were dependent as they were upon the good offices of somebody. He had no doubt, therefore, that the House and public opinion generally would sustain the Government in pursuing a more liberal policy towards them than they seemed disposed by this letter to pursue. It was not for him to say whether the amount offered by the gentlemen of the Seminary to the Indians was an adequate sum. He was not sufficiently acquainted with the case to say whether it was or not. But the sum of \$20,000, which would not amount to more than \$60 or \$70 for each family, was not sufficient to enable the Indians to place themselves elsewhere; to

provide themselves with comfortable habitations, and to give them a reasonable expectation of making a comfortable livelihood. He was informed that the Government, through their agent, had strongly advised the Indians to accept the offer, and if so, they proposed to secure for them Cockburn Island, in Lake Huron. But that if they accepted that offer they must pay for it at the rate of 50c. an acre out of the money they received from the Seminary. If they took out of that amount the cost of their removal from Oka—for they did not find that the Government proposed to defray that—very little would remain. He was sure that public opinion would sustain the Government in supplementing the offer of the Seminary. These Indians should be provided with a reservation somewhere in the North-West Territories. Let the Government treat them with the same liberality as white settlers. Under the homestead law, emigrants into that territory were provided with a free gift of 160 acres, and there was no reason why the Indians should not be dealt with in an equally liberal spirit, by giving them a certain reservation. Should that be done, should the Government defray the expense of their removal, and give a sum in addition to that offered by the gentlemen of the Seminary, it could be reasonably hoped that the Indians would be enabled to procure a comfortable livelihood in that territory. He noticed also in that letter that the Government threatened, in case a settlement was not arrived at, to withdraw their agent altogether, and leave the Indians to their own resources, or to the protection of those who had assumed to advise and assist them in their troubles. He sincerely trusted the Government would not do this. The presence of the agent had been of incalculable advantage. Since he went there, there had been no troubles or difficulties of any kind, and the agitation which would be certain to arise in no settlement were arrived at, would result in perhaps more serious troubles than any that had yet occurred, and which the presence of the agent would tend to diminish. He was glad the hon. member for North Hastings was here, that the false impression

he labored under, regarding the supposed neglect on the part of the counsel for the Indians, might be removed. So far from that being the case, he had been extremely assiduous and attentive, and had made sacrifices, not only of personal convenience, but also of money. The judgment obtained reflected anything but credit on the part of the gentleman employed by the Seminary to defend their case.

MR. CHRISTIE said he thought a liberal policy should be adopted towards these Indians. There was now a large extent of fertile land in the North-West, which the Government were endeavoring to colonize, by means of giving free grants of land to white emigrants, and not only that, but the Government had loaned money to the Mennonites and Icelanders to enable them to effect a settlement in that territory. He did not see why the same liberal policy should not be extended to the Indians, who, if they were settled on good lands, and fairly started, would be able to take care of themselves, and would cease to be in any way a burden on society. This policy would put an end to the existing difficulties, and which had been such a bone of contention in Oka for the past ten or fifteen years. He quite agreed with the previous speaker, that it would be unwise to remove the Government agent from Oka until a settlement had been arrived at.

MR. MACKENZIE said his hon. friend, the member for Huntington, appeared to find some fault with the Department for the letter written by Mr. Murdoch to him, simply as a letter of instructions on behalf of the Government, and when the writer stated that the evidence received by the Department had uniformly been that the Indians had no legal title to the soil, that the gentlemen of the Seminary were not trustees but absolute proprietors, and that no suit against the Seminary, with the view of obtaining possession of the property for the Indians, would be successful, he simply stated what the uniform legal advice had been, and the advice of irresponsible lay gentlemen could hardly be stated to outweigh the opinion of lawyers.

MR. ROCHESTER: Lawyers differ very often.

MR. MACKENZE: No doubt they did; still his hon. friend went to them occasionally when he got into a tight place. It was quite clear the Department could not assume the Indians were proprietors of the soil as long as the Courts declared they were not. There had been one decision in court, and the Department was paying the costs of an appeal from that decision. That appeal had not yet come off, although from a letter of Mr. McLaren's, published in one or two papers, it appeared the fault was not his, as was supposed when the subject first came up in the House a few nights ago. Mr. McLaren stated that the case would come off and be decided, and that, in his opinion, the Seminary had not a legal title to the land. That would be determined when the case would come up for review; in the meantime, the Government could only act on the opinion given by the law officers of the Crown for years back, as well as legal advice obtained elsewhere. That was the whole extent of Mr. Murdoch's letter. As to the question of what it was desirable to do with the Indians, the Government would be prepared to give the utmost consideration to anything reasonable which Parliament might sanction in regard to their removal.

MR. ROCHESTER said there had been a great deal said about this Oka Indian affair, and although the hon. the Leader of the Government had said they had legal opinion that the Indians had no right or title to the soil, he did not say where that opinion came from. Lawyers, like doctors, differed in their opinions. If the Government found that those unfortunate creatures had no legal right or title to the soil, it was to be hoped the Government would take these unfortunate creatures in hand and not deal any worse with them than with emigrants coming to the country, and not send them to that island referred to by the hon. member for Huntington, which had been before occupied for three years by Indians who had then abandoned it. He hoped the Government would see that justice was done

to these people, whose forefathers had lived at Oka for generations.

MR. BOWELL said if the hon. member for Huntingdon had been present when he (Mr. Bowell) referred to this subject, he would not have come to the conclusions he had, as to the meaning of the language which he (Mr. Bowell) had used. He had no doubt the hon. member had based his opinions upon a report in a Montreal journal of what purported to be his (Mr. Bowell's) utterances on that occasion. He (Mr. Bowell) took this opportunity to state that that report was as incorrect as it could possibly be, and could only be accounted for by the supposition that it had been made for a purpose. With reference to the case before the court he had particularly found fault with the Government for not taking steps to have it finally settled, and that as it had been stated in a letter of Mr. Laird, Minister of the Interior, that money had been appropriated to test the question of the rights of the Indians, it was unfortunate that they, the Government, as custodians of the Indian interests, and to a great extent guardians of all the Indians in the country, though not, perhaps, entirely of those in Two Mountains as with other tribes, had not taken a more active part in seeing that these unfortunate difficulties had been brought to a final settlement. He had said, further, that it had been stated that a snap judgment had been obtained by the lawyers of the Seminary, by the case having been allowed to go by default, through the negligence of those acting on behalf of the Indians. He had said that he personally did not know that to be the case, but that it had been so stated in the Press. He had called the attention of the Government to the fact that difficulties had arisen in that locality which might possibly have been prevented had the Government taken more decided action. He now found by a letter of Mr. McLaren, the counsel for the Indians, that he denied most positively that any money had been given to him or any one else. So far as he knew, in connection with the matter. He would read an extract from Mr. McLaren's letter, in reply to the Minister of the Interior's statement

MR. ROHESTER.

that \$100 had been paid for law costs. He says:—

“For instance the hon. Mr. Mackenzie stated that the Government had paid out money for this case, and the hon. Mr. Mills said they had paid something less than \$100. The truth is that they have not paid a single cent. On the contrary, when I required in Court some documents in the possession of the Government and which were necessary for the Indians case, they refused to let a clerk of the Department attend the trial with these papers, unless I previously sent them his expenses, and I was compelled to pay money out of my own pocket.”

He (Mr. Bowell) thought he was quite justified in the remarks he had made in reference to the manner in which this whole case had been conducted. From Mr. McLaren's statements as given in the letter from which he had just read, certainly he was not to blame in not having this matter fully settled. He quite concurred in the remarks of the hon. member for Huntingdon with regard to difficulties which had occurred at Oka. The Government was blameable to this extent, that after having taken upon themselves the responsibility of making advances to test that question, they being the guardians to a greater or less extent of these unfortunate people, they should have seen that those difficulties had been brought to an amicable settlement. He knew the Government said they had nothing to do with the matter, but, having offered money to test the rights of the parties, and in view of the troubles that had occurred, the matter should not be allowed to drop. He was afraid the hon. member for Huntingdon had made the same slip of the tongue as he (Mr. Bowell) had been assured of making, and for which a Montreal paper had taken him to task, and upon which Mr. Borland had written a three column letter on the point that stated that the late Minister of Interior had made a report in connection with this question, in which he declared that the right of property was not vested in the Indians, that that report had been accepted by his successor, and that he (Mr. Bowell) on reading it and other documents, had come to the conclusion that if the Indians had no rights in the soil, that is direct legal rights, they



had, he (Mr. Bowell) had, no doubt, certain rights of which they had been deprived by those whose duty it was to take care of them. In all the deeds he had read of the cession of this land by the French king, some hundred and fifty years ago, there was always a certain duty devolving upon the gentlemen of the Seminary. He had not been able to find that the gentlemen of the Seminary had been wholly or partially relieved of that responsibility, even by the latest legislation which had taken place. That was the statement he had made before, and the one which he made now. He hoped he was wrong in the view he had taken of the rights of the Indians to the soil; he hoped they had rights which certain legal gentlemen said they had. He hoped they might be placed on a footing by which they could support themselves as respectable members of society, instead of having to meet all the difficulties they had in the past, and he believed all this might be done if energetic steps were taken by the Minister to that end.

MR. LANGEVIN said a settlement of this question, for the sake of peace, should be arrived at as soon as possible. He understood the Seminary was disposed to act liberally towards the Indians by giving the Government a sum of money for them. If a proper place of settlement could be found, the best thing that could be done would be to accept the offer of the Seminary and remove the Indians.

MR. MILLS said if his hon. friend would look at the letter to which he had referred, he would see that it was an official letter from his deputy to an officer of the Department, and which ought not to have appeared in the public prints at all. It contained instructions to an officer appointed there for a special purpose, advising him, owing to the peculiar circumstances connected with the Oka difficulties, to endeavour to secure the assent of the Indians to some compromise. If the Indians had a legal right to the soil, he would advise, if necessary, to go into Court and prosecute that right. But that was not the opinion nor the advice of the Minister of Justice, nor of the

legal adviser of the Department. Early in the winter a delegation in favour of those Indians waited on him, consisting of Messrs. Ferrier, Nelson, Chief Joseph, and one or two others, with whom he discussed the question very fully, in which he indicated what he considered the proper course to adopt, and pointed that they could not hold the Government responsible for not having settled the question, and at the same time claim the right to contest the right of the Seminary in a Court of law. He advised them to leave the matter in the hands of the Government, which they agreed to do. When these gentlemen returned to Montreal, he understood, their course did not meet the approval of their friends, and so the matter stood. The Seminary renewed their offer made two years previously, to pay the Indians or the Government on their behalf \$20,000 if they would withdraw from the lands. His opinion was that the Indians should accept this offer. If the Indians had accepted, the Government were prepared to ask Parliament for an appropriation to obtain a suitable location on which to settle them. Unless the two parties came to an understanding, he did not see what the Government could do in the matter. The Government could not force the Indians to accept the Seminary's offer, nor the Seminary to agree to the terms proposed on behalf of the Indians. They had done this in the interest of the Indians, and to protect any right they might have to the fullest extent.

In reply to Mr. ROCHESTER,

MR. MILLS said that the legal advisers of the Department, the hon. member for Kingston, the Hon. Mr. Dorion, the present Minister of Justice, Mr. Bernard, when acting Deputy Minister of Justice, and the present Deputy Minister, also legal advisers, had given advice on this question.

MR. ROCHESTER: And the late Minister of Justice (Mr. Blake).

MR. MILLS: He gave no formal opinion on this subject, as it was particularly a question of Lower Canadian law.

MR. ROCHESTER: Was it referred to him?

MR. MILLS: Not since I came into office.

In reply to Mr. ROCHESTER,

SIR JOHN A. MACDONALD said it had been referred to him. He examined the title as well as he could, and it appeared that the Seigniorship belonged to the Seminary which had no express trust, apparently, as to looking after these Indians. It seemed to be an absolute Seigniorship, like any other, on the face of the instrument; and so he expressed it; but he did not profess to be an expert in Lower Canadian law. Other gentlemen of the legal profession were of a different opinion; and, as it had excited great attention and was a question of great hardship to these poor people, he had recommended, and the Government had adopted and afterwards confirmed the suggestion, that the Indians, and those who took up their course, should have the opportunity of trying a case, the expenses to be paid by the Government. So that the first thing to do was to get a final decision from the Court as to what the relative position of the Seminary and Indians was. Until their respective rights were settled, the Government could take no steps. This once decided, the case of the Indians could be taken up. There was a strong expression of opinion that until this occurred, the Indians should be left undisturbed in every possible way, and the gentlemen of the Seminary had said they would certainly do so, if the Indians would not trespass or commit destruction which was alleged against them.

MR. SCRIVER said he was glad he had brought the matter up. The hon. the Minister of the Interior had stated that the Government were prepared to deal with these Indians in a more liberal spirit than would be supposed, judging from the letter to which he had referred. He understood from the legal adviser of the Indians, that the suit now pending would not result in deciding the question really at issue; and that there had been difficulty experienced all along as to bringing a suit which would determine these

questions. He understood that this could only be done on the part of the Crown; and, so far, the legal adviser of the Indians had not succeeded in obtaining the consent of the Crown to it.

MR. MILLS: I suppose you refer to the Attorney-General of Quebec?

MR. SCRIVER said he supposed so.

MR. BOWELL said that there was a discrepancy between the statement of the Minister of Interior and Mr. McLaren respecting the payment of these expenses. Either this statement was true or it was not. Mr. Laird, in a letter stated that he (Mr. Laird) had consented to pay out of the Indian funds, the cost of a suit brought by the Seminary against one of the Indians; the decision of the Court in this case, which was still *sub judice*, would determine the legality or otherwise of these supposed rights of the Indians, while Mr. McLaren said that so far from the \$100 being paid, the Department had actually refused to allow a clerk to go down unless his expenses were paid.

MR. MILLS said as far as he knew no one had ever been refused such permission. Since he had been in office there had been no case. There had been a criminal suit, but not one which concerned the property title. Mr. McLaren must refer to the payment of Mr. O'Neill's expenses to Montreal last fall. If nothing was paid, nothing had been called for. The Department was certainly not going to interfere to prevent the Indians succeeding, if they chose to act against the legal opinion furnished the Department; but it was a very serious responsibility to institute a suit under these circumstances, as the Indians would thus throw away the possibility of receiving anything. They had done everything in their power to receive a settlement on the best possible terms for the Indians. If they had asked Parliament for nothing, it was because they saw no prospect of it being made available.

Vote agreed to.

MR. MILLS.

MISCELLANEOUS.

240. Halifax Commission. — Amount required to cover expenditure (partly to be refunded).....\$57,000 00

MR. CARTWRIGHT: The arrangement between ourselves and the Imperial Government is that they and we pay half, *pro tem*. We had advanced the whole sum. If there is no difficulty about it I suppose that it will come out of the award.

SIR ALBERT J. SMITH said that \$30,000 was voted last year, making in all \$87,000. The whole expenditure at Halifax amounted to \$96,000. The American Government contributed \$12,000, its share of the joint expenses. To witnesses were paid \$28,000; to counsel, four in number, \$28,800; printing and stationery, \$3,000; Secretary and assistant about \$3,000; and shorthand writers about \$3,000. Newfoundland paid her counsel.

Vote agreed to.

241. To pay the Hon. Sir Alex. T. Galt, K.C.M.G., for services rendered as Commissioner, Halifax.....\$12,000 00

SIR ALBERT J. SMITH said he considered that Sir A. T. Galt was entitled to this sum for his services; he made no specific charge.

SIR JOHN A. MACDONALD said he did not say that the amount was excessive for the services of Sir A. T. Galt. The only question that arose was whether the Government could or ought to pay this to a gentleman who held a judicial position. Was each country to pay its own arbitrator, and Judge a sum of money?

SIR ALBERT J. SMITH: The Treaty provides for it.

SIR JOHN A. MACDONALD said, if so, that met the difficulty.

SIR ALBERT J. SMITH: The third Commissioner was to be paid jointly by the two Governments.

SIR JOHN A. MACDONALD said there could be no objection in the ordinary way to such a proceeding respecting arbitrators, but the objection was this: A Commissioner was supposed to

go there as Judge to decide against his own country, if he thought he should do so in honesty, law and justice.

SIR A. J. SMITH: Would you not pay a Judge?

SIR JOHN A. MACDONALD said that Judges had salaries for life, and were quite independent, but in these occasional arbitrations, if it was understood that each nation would give a fee to its arbitrator, the consequence would be that if they were successful in getting a very large verdict, and a bigger fee followed, they would work as hard as they could to get a large fee. The principle was not a good one.

SIR ALBERT J. SMITH: The United States paid their Commissioner, I know. Mr. Delfosse behaved very handsomely. He would not accept anything. We deposited \$2,500 to his credit, and the United States did the same; but he refused to take anything beyond that.

SIR JOHN A. MACDONALD: I have not the slightest objection to the amount Sir A. T. Galt deserves for the care and attention paid to the case.

Vote agreed to.

- 242. Parliamentary Companion.— To pay for 350 copies..... \$ 525 00
- 243. Commutation of Duties, Army and Navy.—Further amount required for this service..... 4,000 00
- 244. To pay his Grace Archbishop Taché balance of his expenses incurred on the occasion of his return from Rome in 1870, at the request of the Government of Canada .... 3,000 00
- 245. His Excellency the Governor General's visit to Manitoba. —Balance of expenditure incurred and paid through "Unforeseen Expenses." *Vide* Parliamentary Paper..... 1,778 45
- 246. Grasshopper Relief.—Unexpended balance of 1876-77 carried forward by Special Warrant (Revote) ..... 381 81

COLLECTION OF REVENUE.

Customs.

247. Amount required to complete this service (Manitoba and N. W. T.)..... 2,500 00

Excise.

248. Preventive Service.—Amount required to complete this service..... 2,000 00

*Inspection of Staples.*

249. Amount required to complete this service..... 2,000 00

*Public Works.*

250. Intercolonial and Prince Edward Island Railways.—To meet the expenditure caused by increased traffic..... 100,000 00

In answer to Mr. LANGEVIN,

MR. MACKENZIE said the vote taken last year was \$1,600,000. The Superintendent desired at the time to get more than that, but he (Mr. Mackenzie) had cut the Estimate down, hoping that the expenditure could be kept within that amount. The expenditure for 1876-7, for ordinary working expenses, was \$1,761,673, and, if to that were added the proportion of expenditure for renewals which belonged to that year—\$200,000—the total would be \$1,661,673. In 1877-8 the ordinary working expenses would be \$1,550,000; or with the amount added for renewals, \$1,750,000—an increase of \$88,000 over last year. The appropriation, however, had been only \$1,600,000. The traffic had largely increased during the current financial year, the increase being a little over \$100,000 up to the 1st January, and during the four months since that, somewhere between \$75,000 and \$90,000. They expected a total increase of \$225,000 over last year. This had, necessarily, caused an increased expenditure.

MR. LANGEVIN said the additional \$100,000 would only make a total appropriation of \$1,700,000, while the estimated expenditure was \$1,750,000. What about the other \$50,000?

MR. MACKENZIE said he had stated that it would be absolutely necessary to reduce the expenditure, if possible, and as there had been no serious expenditure for the last six or eight weeks, on account of the favourable weather, they might fairly hope that a reduction might be possible.

MR. LANGEVIN: Then the hon. gentleman thinks that with that amount he can go on to the 1st of July.

MR. MACKENZIE: We hope so.

Vote agreed to.

SIR JOHN A. MACDONALD.

251. Canals—For payment of one year's salary to Mr. Woodruff in recognition of his services as Superintendent of Welland Canal, after 28 years' services \$3,000

MR. MACKENZIE said he had received many letters from this gentleman, who was removed from his position as Superintendent of the Canal, not, as he understood, so much from the views of the Government or of the hon. gentleman who was then Minister of Public Works, as on account of a public clamour which had made him, for a time, unpopular in his position. The petitions presented by Mr. Woodruff from time to time had seemed to him (Mr. Mackenzie) to present a strong claim for consideration, but he had referred the matter to Mr. Page for a report, and Mr. Page took the ground that Mr. Woodruff was very hardly used on that occasion; and that having been a very faithful public servant for so long a period, if he were removed from his position something should be allowed him. He had paid into the Superannuation Fund for a short time, but he had been some twenty-eight years in this office, and appeared to have been a most energetic public servant, and one who, if he had some faults of temper or otherwise, had worked hard and diligently to discharge the duties devolving upon him. He had, therefore, felt justified in recommending to Parliament the payment of one year's salary to Mr. Woodruff as something in the shape of a gratuity in leaving office.

MR. LANGEVIN said he did not remember the circumstances of this case, which occurred in 1872.

MR. McCALLUM said Mr. Woodruff was a most efficient officer for many years, but there had been quite a clamour raised on the Welland Canal to induce the late Government to remove him. He made himself unpopular by carrying out his duties and economizing the public money, and a fund was got up by the mill-owners and others on the Welland Canal, and they subsidized a Toronto paper to write down this man. He was glad to see that the Government was going to

do justice in a measure, though it was but tardy justice, to a deserving public officer.

SIR JOHN A. MACDONALD said this should not have been put in the Supplementary Estimates, and the House should have had the papers brought down, because it would appear that some injustice had been done to Mr. Woodruff. His recollection was that he had been a good active officer on the whole; but he had been spoilt. He had had the management so long that he considered himself irresponsible, and there were grave irregularities reported. The first report on them was very strong; but it was thought better that he should be dealt with as mildly as possible, and the Order-in-Council on that subject was greatly modified on account of his past services. It was a bad example that when an officer had been judicially dealt with by one Government their successors should reverse the decision. However, he had no doubt the Government had considered the matter, and he should not oppose the vote.

MR. MACKENZIE said he quite admitted that no Government should rightly reverse the action of their predecessors in a matter of this kind. He did not say that it might not have been thought desirable, even although no charge were proved, to make a change in the management. The papers, however, did not show that any charge was proved against Mr. Woodruff, nor did the Order-in-Council say so.

SIR JOHN A. MACDONALD: I know that; it was modified.

MR. MACKENZIE said a newspaper, which at the time was published in Toronto, had seemed to make a speciality for days or weeks in getting up statements against Mr. Woodruff, which, in the newspaper, appeared to be very formidable, but when investigated, turned out to be not very reliable. If there was any irregularity, he did not think there was any approaching a fraudulent character.

SIR JOHN A. MACDONALD: No, I do not think there was.

MR. MACKENZIE said Mr. Woodruff was a man of strong passions and high temper, and with some people who were troublesome about the works, he was not so popular as he might have been, but with the business men and others, he believed he was considered an excellent Superintendent.

MR. McCALLUM said no Superintendent on the Welland Canal before or since had discharged his duties better, he might say, as well as Mr. Woodruff. He had annoyed the mill-owners by refusing to give them the water which was necessary for the navigation of the canal for the purpose of driving their mills. At meetings which they held, they denounced him as being too economical and not expending enough money on the canal. He (Mr. McCallum) never knew of Mr. Woodruff's having been tried, though he was aware that public opinion was against him at that time. He had never heard of any serious charges being made against him, and considered that it was only doing him justice to give him this amount, as he saved money to the public in his management of the Welland Canal for many years, as hon. members would see by referring to the Public Accounts.

Vote agreed to.

252 Telegraph Line—Haro Strait, B.C. .... \$3,500 00

Post Office.

253 To pay Grand Trunk Railway for claim for daily transport of mails over 149 miles of railway, between the Canada Boundary Line and Danville Junction (Maine), from 1st July 1867, to 31st December, 1874, when by Postal Convention with the United States, the conveyance of these mails was assumed by the United States Post Office ..... 7,776 22

Dominion Lands.

254 Further required to complete this service ..... 12,500 00

Unprovided Items of 1876-7.

255. Vide Public Accounts, 1876-77, part ii, page 338 188,965 64

MR. CARTWRIGHT said the chief expenditure was for the Intercolonial and Prince Edward Island Railway. Both the receipts and expenditure on that road had increased. This year they had taken steps which they hoped would prevent any recurrence of the unprovided items. There was then an item of some \$12,000 on account of the Customs expenditure. The Minister of Customs had endeavoured to reduce that below what he found it necessary to expend, though this year he believed he would be able to keep to his original estimate.

MR. LANGEVIN said the first item on page 339 under the heading of collection of revenue was \$24,000 for excess of expenditure over appropriation of Customs. That service was increasing yearly though the revenue was decreasing. There was a deficit of nearly one and a half million dollars in the revenue. He did not say the revenue should have decreased in proportion but it should not have increased.

MR. CARTWRIGHT said the actual expenditure in 1876-7 was \$721,604, and in 1875-6 it was \$621,000. The Estimates had been cut down in 1876-7 to a sum considerably below the expenditure of the preceding year.

MR. BURPEE (St. John) said the Estimates had been cut down \$254,000 in the hope of reducing the expenditure, but certain unprovided charges had arisen. Had the prices of goods remained as high as in 1874-5, the revenue would have been  $1\frac{1}{2}$  millions over the amount received. The depression was due entirely to the decrease in the value of goods, not in the quantity. The service could not be reduced.

MR. LANGEVIN said the hon. gentleman now added \$24,000 in addition to the Estimates of last year to cover the expenditure.

MR. CARTWRIGHT said this was included in the \$77,000. It was money for which a vote had been taken last year, and, therefore, one had now to be asked.

MR. LANGEVIN said the Estimates this year was \$705,836. What guar-

Mr. McCallum.

antee was there that an additional vote would not be required next year for this service. Why not ask at once for the amount required?

MR. BURPEE said he thought the Estimates for the year would cover the expenditure. Of course there were a few months yet to run, which would reduce the amount. In order to make the service complete they had combined the whole correspondence with Russia—and everything that concerned the boundary and navigation of these rivers on one paper; also the correspondence relating to the carrying of a criminal down the river to a place of security at Victoria. This man was claimed by the United States on the ground that Canada had no right to take him through their territory, and the Imperial Government took this view.

MR. CARTWRIGHT said he had no objection to the hon. gentleman calling attention to the fact that amounts paid were in excess of amounts asked for, but it was also fair to call attention to the fact that for the year ending 30th June, 1877, there was an immense amount of lapsed balances, that was to say they spent much less than they asked for. For Civil Government they spent \$88,600 less than they asked for; for Department of Justice, \$35,000 less; on legislation \$44,000 less; and so on through a great variety of cases. They spent \$24,000 more in Customs; but it had been expected that certain buildings would be completed. This did not take place as anticipated and \$5,000 extra for rent had to be expended; and it could be reasonably expected, besides that, from \$7,000 to \$8,000 would be saved. They spent \$27,000 less in Excise. To a certain extent all these things were unavoidable. Although there had been a certain number of extra votes carried forward, the total amount of lapsed balances much more than counter-balanced all asked for; so that the Estimates though they might be exceeded in one or two particulars, as a whole presented a very fair statement of what the wants of the country really were in gross.

MR. LANGEVIN: Nevertheless we ought to have the exact amounts as far as possible.

MR. CARTWRIGHT: Certainly.

Vote agreed to.

Resolution ordered to be reported.

House resumed.

Resolution reported.

#### GOVERNMENT BUSINESS.

##### ORDER DISCHARGED.

The following orders of the day were severally *discharged* and the Bills *withdrawn*:

"House again to go into Committee of the Whole on the Bill (No. 32) Further to amend the Acts respecting Stamps on Bills and Notes.

House to go into Committee of the Whole on the Bill (No. 43) To facilitate the Colonization of Dominion Lands, by providing for the incorporation of Railway Companies, and aiding the construction of Railways, traversing such Lands.

Second reading of the Bill (No. 47) to provide for the transfer of Lands and Estates and Interests in Lands, in the Territories of Canada by Registration of Titles,

#### ADULTERATION ACT AMENDMENT BILL

—[BILL No. 76.]

(Mr. Laurier)

##### THIRD READING.

The said Bill was considered in Committee of the Whole *reported, read the third time and passed.*

#### SUPPLEMENTARY ESTIMATES.

##### MESSAGE FROM HIS EXCELLENCY.

MR. CARTWRIGHT delivered the message from His Excellency the Governor-General.

MR. SPEAKER read the messages and they are as follows:

##### DUFFERIN.

"The Governor General transmits to the House of Commons, further Supplementary Estimates of sums required for the services of the Dominion, for the year ending 30th June, 1878; and in accordance with the provisions of the British North America Act, 1867, he recommends these Estimates to the House of Commons.

"GOVERNMENT HOUSE,  
"OTTAWA, 2nd May, 1878."

##### DUFFERIN.

"The Governor-General transmits to the House of Commons, further Supplementary Estimates of sums required for the services of the Dominion, for the year ending 30th June, 1879; and in accordance with the provisions of the British North America Act, 1867, he recommends these Estimates to the House of Commons.

"GOVERNMENT HOUSE,  
OTTAWA, 6th May, 1878."

MR. CARTWRIGHT moved that the said messages and further Supplementary Estimates be referred to the Committee of Supply.

Motion agreed to.

#### TRAFFIC IN INTOXICATING LIQUORS BILL.—[BILL No. 75.]

(Mr. Mackenzie.)

##### THIRD READING.

The said Bill was again considered in Committee of the Whole, *amended and reported.*

MR. MACKENZIE moved the second reading of the amendments.

MR. ORTON said it was true that the temperance sentiment of this country was very strong, and that it was highly important that our people should become a sober and a temperate people. Those who were honestly and earnestly endeavouring to produce that good effect in this country deserved commendation. They were doubtless patriotic and noble men, and he who would, from selfish, sordid or unworthy motives, put any obstacle in the way of abolishing the evils which arose from the immoderate use of intoxicating liquors, deserve the reprobation of the community. However, he (Mr. Orton) could not help feeling that in a temperance point of view, this Bill would be utterly useless; and, further, that it was an outrage upon the civil rights of a large portion of the people of this country. As a temperance measure, he felt that it would be quite as useless as the Dunkin Act had been proved to be. In regard to that Act the universal opinion on the counties where it had been passed was that, instead of decreasing the evil effects of drinking, it had rather increased them, and, along with that, it

had brought other and worse evils of a different description in those counties in which it had been in operation. In the Inland Revenue Department the deputy, the other day, had stated that in those countries where the Dunkin Act had been in operation the consumptions of whiskey had enormously increased. The tendency of the Dunkin Act was to do away with the consumption of malt beverages and to increase the consumption of whiskey. On behalf of the brewers he protested strongly against this Bill.

Amendments *read the second time and agreed to.*

MR. MACKENZIE moved the third reading of the Bill.

MR. WHITE (North Renfrew) said one of the great defects of the Dunkin Act was the five gallon clause. In this Bill the clause providing that a merchant might sell ten gallons of liquor was also a serious offence. Why should a merchant be permitted to sell an article within the limits of a particular locality which no person was permitted to be purchased? He moved that the said Bill be not now read a third time, but be re-committed to a Committee of the Whole, with instructions that they have power to amend the same by striking out sub-section 8 of clause 99.

MR. BERTRAM said this Bill granted power to a county to prosecute the sale of intoxicating liquors within its own midst. This sub-section went against that power, and if the principle of the Bill were to be agreed to, the amendment of the hon. member for Renfrew that this sub-section should be struck out was correct.

Motion in amendment *negatived on a division.*

Bill *read the third time and passed.*

#### MANITOBA PUBLIC SCHOOLS BILL.

[BILL No. 78.]

(Mr. Mills.)

#### SECOND READING.

House resolved itself into Committee of the Whole to consider the following resolutions:—

MR. ORTON.

"1. Resolved, That by Section twenty-two of the Dominion Lands Act, Sections 11 and 29 of the Public Lands in each township in the Province of Manitoba are set apart, to be sold at some future time in order that a fund may be realized for the maintenance of public schools within the Province.

"2. Resolved, That the Government of Manitoba have applied to the Government of Canada to have the school lands within the limits of that Province transferred to them, to be sold for the purpose of creating an educational endowment.

"3. Resolved, That it is not in the public interest in consequence of the sparseness of the population and its probable rapid increase within a few years, and in consequence of the additional value which these lands are likely to acquire because of that increase in the population, that they should be disposed of at the present time.

"4. Resolved, That it is expedient, however, to assist, in the meantime, the cause of education in the Province, and that with this view the sum of ten thousand dollars be placed at the disposal of the Government of Manitoba, in aid of the public schools therein, annually for a period not exceeding three years, and that the several sums so advanced with the interest thereon, at the rate of five per cent. per annum, be recouped to the Dominion Government from the first sales of the lands so set apart for educational purposes.

(In the Committee.)

Resolutions *ordered to be reported.*

House *resumed.*

Resolutions *reported, read the first and second times and agreed to.*

MR. MILLS introduced a Bill (No. 78) To authorize the advance of certain sums to the Province of Manitoba, in aid of the public schools therein.

Bill *read the first and second times.*

House adjourned at  
Twenty minutes before  
Two o'clock.



## HOUSE OF COMMONS.

Tuesday, 7th May, 1878.

The Speaker took the Chair at Two o'clock.

## PRAYERS.

## CANADA CENTRAL RAILWAY COMPANY.

## RESOLUTION PROPOSED.

MR. MACKENZIE moved:

"That this House do ratify the Order in Council dated April 18th, 1873, respecting a subsidy to the Canada Central Railway Company, passed under authority of 'An Act to provide for the construction of the Canadian Pacific Railway,' 37th Victoria, chapter 14."

He said it would be remembered that on the 13th of March, 1873, an Order-in-Council passed in November of the previous year had been approved by the House, granting a subsidy of \$12,000 per mile to the Canada Central Railway, from a point in the vicinity of Renfrew or Douglas, stretching northwards towards the mouth of the French River, or on a route which was generally described in the Order-in-Council as ascending the valley of the Bonnechère from the vicinity of the village of Douglas *via* Golden Lake and Round Lake, thence by as direct a line as may be found to Burnt Lake, and thence to the proposed terminus of the Government railway, at about the eighty-fifth mile from the Georgian Bay. For various reasons, which he need not now enter on at length, this Order had failed of its purpose. A considerable tract of the country which had to be traversed was found to be more unsuitable than had been anticipated from Mr. Hazlewood's report, he having reported the whole route as favourable. The Government at that time were desirous of adopting the shortest possible line from Georgian Bay eastward, as the object of subsidizing this road and building the Georgian Bay Branch was to have the most direct line from the eastern waters of Georgian Bay to Montreal, as the converging centre of the railway system. Mr. Foster had become the contractor for the Canada Central Railway, under the operation of this Order-in-Council. He had

failed to execute the contract up to the time of his death, and fresh negotiations were entered into in the meantime with the Company, with the view of ascertaining to what extent they were prepared to carry out this order or whether any change that could be made would make it more available for the purpose originally designed by the Canada Pacific Railway Act, and the Order-in-Council based on that Act. Mr. Foster, as the contractor for that road, had been engaged for nearly two years in surveying, not merely the route on which the Order in Council was passed, but the whole country, to a greater or less extent, from Pembroke westward towards Lake Nipissing. A short report of Mr. Murdoch—an engineer employed by Mr. Fleming—deposited in the Public Works Department, seemed to show that there was a considerably more favourable route as to one part, and not much more unfavourable than the best part of the Bonnechère Valley route, though nothing could be better than thirty or forty miles of the Lower Bonnechère route for railway purposes. This route might be said to run parallel to the Ottawa River at a distance of eight or ten miles—sometimes more and sometimes less—from that river, and, generally speaking, following the course of that river and reaching the waters of Lake Nipissing at South River, at what was generally known as the south-east corner of Lake Nipissing. The distance from Pembroke to this point was something over 130 miles. The exact mileage was not ascertained, and by the terms of the Order-in-Council, which he now proposed asking the House to adopt, the Company were to receive a subsidy of \$12,000 per mile upon 120 miles, on condition of their building the entire length of the extension from Pembroke to the point he had mentioned on Lake Nipissing, no matter what the mileage might turn out to be. That was the provision which related to the change of route. The provision as to payment was in the original Act as follows:

"That payment of the subsidy shall only be made on the completion of the railway in sections of not less than twenty miles, each payment to be made on the certificate of an

Engineer to be appointed by the Government that a section, or sections, is completed. Payment may, however, be made of an amount equal to the subsidy on twenty miles on work extended over a longer distance, which in value will be equivalent to not less than twenty-five miles of finished roadway. Payment will also be made on rails delivered at any point of the line to be constructed to the extent of 75 per cent. of the value thereof, such rails to be property of the Government until they are laid on the road for use.

In the new Order-in-Council an amelioration of the terms of payment was provided for. The terms were as follows:—

“That payments be made to the extent of eighty per cent. of the said bonus of \$12,000 per mile on the completion of every ten miles. One-half of such payment may be advanced when work equal to five miles is completed on any one section, on the certificate of the Chief Engineer that satisfactory progress is being made. And payment to the extent of sixty per cent. may be made on work extending over twenty-five miles on the certificate of the Chief Engineer that such work is equal to ten miles of completed track—the balance to be paid on the entire completion of the railway to the Nipissing road at the south-east corner of Lake Nipissing. Provided that payments may be made upon rails delivered to the extent of seventy-five per cent. of the market value thereof, the amount so paid on rails to be deducted from each settlement of ten miles—all payments to be made on the certificate of the Chief Engineer.”

They further recommend that payments be made to the extent of eighty per cent. of the work actually executed on the completion of every ten miles, in the proportion which \$13,000 per mile bears to the actual cost of each section. There was a further provision in the order, put in at the instance of the company, which was of opinion that it might serve them much better if they were to have a guarantee of interest on a certain amount of bonds to be issued instead of payment by money. As they did not expect to build the road on anything like the Government subsidy, they thought of issuing bonds for the purpose of completing the balance and obtaining subscriptions of stock to the necessary amount. The order, therefore, provided that the company should have the option of substituting the payment by the Government of the interest, or part of the interest, or bonds of the company running over such term of years as may be hereafter

MR. MACKENZIE.

approved by the Governor in Council in lieu of the mileage subsidy referred to. Calculations would, of course, be made so that whatever interest should be paid on the bonds should not exceed on its ultimate results the entire amount of subsidy provided to be paid—that was \$12,000 per mile on 120 miles. These were the provisions of the Order-in-Council. The reasons for the change were simply that they found it difficult, if not impossible, to get the extension executed over the original line; that they believed that while this line was undoubtedly longer—the precise additional length he could not state, but it was probably somewhere between thirteen and eighteen miles—it was yet much more favourable to the Government in another way. It was extended westward by the application of this subsidy to a point 10 or 20 miles nearer to the terminus on the Georgian Bay Branch at French River or Cantin's Bay.

MR. WHITE (North Renfrew): What is the distance to Cantin's Bay?

MR. MACKENZIE said he did not know the exact mileage, but certainly it was not in excess of 55, and he did not think it exceeded 50. This took them nearly twenty miles nearer to Georgian Bay, and thereby saved the Government the cost of construction to that extent. During last season two or three parties were engaged west of this point to find out whether there was an available track in a nearly straight line from Cantin's Bay to the mouth of Pic River on Lake Superior. They had a located line, or rather an instrumentally surveyed line, from Pic River to Nipegon. This country was to a great extent somewhat rough, still there was a possibility of getting a fair route there, though it was a question as to what extent it would present favourable features, as it had only been travelled over. But in any case they reached the point they proposed to reach by this route, viz., Cantin's Bay, by constructing a shorter distance west from the end of the subsidized line at the south-east corner of Lake Nipissing at South River. The hon. member for Terrebonne (Mr. Masson) said it was not the south-east corner of the lake.

There was another point further east, but not so far south.

MR. MASSON: But you stated in your speech at Sarnia that you were going to the south-east shore.

MR. MACKENZIE said that this met that point at any rate, though it might be a matter of opinion which was properly the south-east corner of the lake. One was very much farther east, but the other was a good deal farther south. He thought it was unnecessary for him to say anything further on this point, unless he might be required to give further information or explanations on points on which he had not explained himself as freely as he might have done.

MR. TUPPER asked how much this change would increase the distance from Ottawa to the south-east point of Lake Nipissing.

MR. MACKENZIE said it depended very much on the curvature of the line. If the country, as described by Mr. Murdoch, turned out to be favourable, the curvature must be rather less than usual, and, in that case, he did not think the length would exceed ten or twelve or thirteen miles additional. If the curvature turned out to be larger than on the central line, then, of course, it would increase the length. They might fairly assume that by taking that route the length would be increased by, at least, thirteen miles, but it might not be so. There was another point to which he wished to allude. At the time that they had first discussed this Order in Council, there was a project for building the road—or rather there were arrangements to construct a road—on the Quebec side. That project had not been completed. The Quebec Government had since practically completed that road from Aymer to Montreal, and it was proposed to build it to a point above Portage du Fort. He did not know the precise point, but undoubtedly the extension from Pembroke would be much more suitable for the purposes the Quebec Government had in view,—the opening up of the Ottawa Valley, although some hon. gentlemen in this House believed the branch should be taken up

the Ottawa on the north side. But there was no doubt that this was wholly impracticable, and, in fact, it would involve a double crossing of the river. Besides, a crossing could be had comparatively easy from the Quebec railway system to the road not far from Ottawa, and its continuation would be very direct from the city of Montreal to its terminus at the eastern waters of Lake Huron. This would complete the scheme the Government had in view in 1874, in introducing the Railway Bill, the object being to use the waters on Lake Huron and Lake Superior for a time, until the financial condition of the road would be stronger, and they could afford to build the road from that point westerly to the connection with the main line west of Lake Superior. That was the object in view, and he thought that object would be attained perhaps as well by the new route, by the simple addition of a few miles, as it would by the old.

MR. MASSON said that were he disposed to consider this question and what had occurred to-day from an exclusively partizan point of view, he might rejoice at the position in which the hon. the Premier had placed himself. He remembered how he and other hon. members of the Opposition had been badly received last year when they stated how imprudent it was for the hon. the Prime Minister to undertake to build a railway on the heights of land where everybody acquainted with geography knew the road was almost impassable, and without having had any instrumental surveys at all made. He (Mr. Masson) had on that occasion gone further. He had asked this House to vote a resolution that no money should be granted for the Georgian Bay Branch or the whole scheme unless explorations were made on that and other routes. His motion was outvoted by the great mass of the supporters of this Government, including all the Liberal party from the Province of Quebec, and the House decided that no explorations should be made on the North Shore of the River Ottawa to ascertain whether a better route could not be obtained in the Province of Que-

bec or further north. When the Opposition brought in the report of Mr. Walter Shanly, the engineer of Mr. Foster stated there were difficulties in the proposed route, the hon. the Premier rose and said he had the report of Mr. Fleming, which contradicted that of Mr. Shanly, and he assured the House there were, in the central route which he had now abandoned, any obstacles of any kind; they were entirely fallacious. To the deputation which waited on him, in 1874, of which he (Mr. Masson) was a member, he said the route he had adopted was the easiest one, having the smallest grades, except, perhaps, the Canada Southern Railway itself. The hon. gentleman to-day again committed an error of the same kind. The hon. gentleman had given again his reasons for not following the North Shore of the Ottawa, namely, that part which was in the Province of Quebec, that the route was considered almost impracticable. There had been no reports made to the Government on that route since the report of the Northern Colonization Company, by Mr. Legge himself; none that he (Mr. Masson) knew of. The Government were not now in a position to state whether the route would not have been as easy on the Lower Canada shore as on the Ontario shore, and Mr. Legge's report clearly indicated the Quebec route as the best. There was, he must admit frankly, something in the movement made by the Government which was a little better than their policy of two years ago. It was true it was taken from the policy of the hon. members on this side of the House, but he was glad to be able to compliment the hon. the First Minister, and to say that now and then he took opinions coming from the Opposition, though he did so, in this instance, at least, very tardily. It was time for the hon. gentleman now reluctantly to abandon his famous terminus of forty miles below Lake Nipissing and to come back to Lake Nipissing. What had, however, been the consequence of the whole action? The hon. gentleman had kept this scheme floating upon the country a long time, and large sums of money had been wantonly expended because the hon. gentleman would not yield his point.

Mr. Masson.

He insisted he was right even against the opinions of engineers.

Mr. MACKENZIE: That is not the case.

Mr. MASSON: Well, you did not consult them.

Mr. MACKENZIE: I consulted my own.

Mr. MASSON: The hon. gentleman consulted his own. The hon. gentleman now saw that his engineers badly misled him. As a matter of fact the route was chosen by the Premier without the report of any engineer having instrumentally surveyed any portion of the line at first imprudently chosen. Of what use to the country were the \$30,000 paid to Mr. Foster for explorations and investigations from his would-be terminus, forty miles north of Lake Nipissing to French River on the Georgian Bay Branch? What was the use of throwing away that \$31,000, unless, perhaps, to know something about the country? He admitted it was very important to know something about the country, but that was not the purpose for which this money was voted. It was voted to build the Georgian Bay Branch, not to make an exploration. If the hon. gentleman did not admit, his friends would admit, at the beginning, that he had made a grave mistake, a mistake which had cost money to this country. He would have avoided making a mistake, had he taken, at the proper time, the advice of those who told him that the country through which he wanted his railway to run was almost impracticable for a railway of the class he wanted to build. The deputation which had waited on the hon. gentleman, received as answer that the Engineer, who said there was 700 feet difference of level between the height of lands and the Mattawan or Quebec route, knew nothing about it. To-day the hon. gentleman was obliged to admit he was wrong, and to come back to the plan submitted to him by hon. members of the Opposition. He (Mr. Masson) did not wish to be as severe on the hon. gentleman as the hon. gentleman would be on him were he in the same position. He would recall to the hon. the First Minister

what he (Mr. Masson) had told him two years ago, when the hon. gentleman withdrew the million dollars from the Estimates, thereby implying the Georgian Bay Branch would not be built; at all events, that other plans had been substituted, namely, that before the next elections took place, this matter would be decided. When the contract was given for the Georgian Bay Branch, there was a million dollars put in the Estimates; to-day there was but the paltry sum of \$100,000. Why? There were two reasons: first, because whatever the amount might be, it would be useless, the road would not be built at present; second, because the hon. gentleman was afraid to increase his Estimates, more than they had been increased, by the enormous sum of one and a half million dollars, according to what he brought down last night. He (Mr. Masson) had heard some gentlemen tell him that the plan adopted to-day was partly a plan which he had suggested two years ago, and that, therefore, he ought to be satisfied. He (Mr. Masson) had always endeavoured to consider this question above party spirit; he had told his hon. friend what he thought would be in the interests of his country and of his Province. The hon. the Minister of Public Works seemed to have adopted one point which had been suggested to him by the Opposition, namely making the terminus of the railway at Lake Nipissing and where it had been placed by the provisions, although he had not placed it at the proper place on Lake Nipissing as it first agreed, viz., the South-east Bay. The whole difficulty between the hon. gentleman and the Province of Quebec, as he (Mr. Masson) understood the case, was whether the road should be located by the north or by the south of Lake Nipissing. The Parliament of Canada in 1872 voted on this question, and it was decided by the unanimous vote of Lower Canada, including Messrs. Dorion, Fournier and every Liberal from the Province of Quebec, that the route by the south and west of Lake Nipissing was not the route proper in the interests of Lower Canada. The route south and west of Lake Nipissing formed the extreme view of some parties interested in that

part of the country, while the route by the extreme north by south of Montreal River, might have been considered by some as the extreme views of the Province of Quebec, and the intermediate view taken by the Government was to pass the railway by the north of Lake Nipissing and by the eastern border of the lake, its terminus being at that point. That was the difficulty between the Government and himself (Mr. Masson) then, and it was the difficulty now; he knew he would not be more supported now than two years ago. It was a foregone conclusion, and the best had to be made of it. He did not blame the Minister of Public Works; if there was nobody on the Treasury Benches to advocate the interests of Quebec, he could not blame him. When the hon. the Minister of Public Works entered the Government, he said: "I will enter the Government with my views and ideas, and will determine the route shall pass by the south and west of Lake Nipissing." The whole of Lower Canada had said "the route should pass by the east of Lake Nipissing," in order to have that route by the north shore of the Ottawa, which was now lost forever. At present, however, Canada had not even an inch of the subsidized branch. Sir George Cartier said: "The railway shall pass north of Lake Nipissing, making a curve in favor of Ontario towards the south; but the railway will be completed by the north shore of the Ottawa from Hull, and will reach, not the terminus, but the junction of the railway north of Lake Nipissing, thereby really giving to the great Pacific Railway that character which it should have of bringing, in as direct a route as possible, the trade of the west from the north of Lake Superior to its sea ports, Montreal and Quebec. If, however, Canadians wished to be sectional, they might require the road to pass fifty miles more to the north of the Ottawa, which would give a straight line from Lake Superior to Montreal." Sir George Cartier yielded a part of that, and consented to a compromise, placing the road, as it had been placed, more favourably to Ontario than the topography of the county entitled it to. The hon. the Minister of Public Works had

caused examinations to be made from Cantin's Bay to Pic River. What was the use of those examinations if it was not the intention of the Government to continue the line from French River to Pic. In that case the whole of Lower Canada's case was gone through the will of the hon. the First Minister, and the consent of hon. gentlemen Opposite from Quebec. He (Mr. Masson) deeply regretted the energy of the hon. the Minister of Public Works, because he had imposed his will where, certainly, if other persons had been in the place of those gentleman, he would not have imposed it. He (Mr. Masson) could only protest, as he did last year, against that decision. But the hon. gentleman said they wanted connection with the Georgian Bay. What the Province of Quebec required was not so much connection with the Georgian Bay as to be secure of the direct route of the Pacific Railway in the future. He (Mr. Masson) had told the hon. gentleman, two years ago, that the old plan was the one in the interests of Lower Canada, and the one which ought to be followed; but, if it was a foregone conclusion, that that plan was to be abandoned, he then begged the hon. gentleman to fall back on his own programme of 1874, when he came to the electors in Lower Canada and asked the people for their votes by saying he would subsidize lines in Lower Canada and Ontario. How was this pledge carried out? It appeared as if Lower Canada was a limit which could not be reached by this Government Railway. Instead of connecting at Renfrew, our road could now connect at Pembroke with the Canada Central. Why did the hon. gentleman not, at least, take the subsidized line through the Province of Quebec?

**MR. MACKENZIE:** The hon. gentleman will remember that we agreed to start an improved survey when we accepted the line. He had mentioned to the House it was the intention and desire of the Government to aid in the connection across the river.

**MR. MASSON** said he knew that would reach the Ottawa, but would not go an inch in Lower Canada. He asked the hon. gentleman to fulfil his

**MR. MASSON.**

own plan, that plan by which the hon. member for South Bruce said he was obliged to stand, especially in relation to the Georgian Bay Branch, and build the railway in Lower Canada as well as in the Province of Ontario. No; the hon. gentleman would either stop at Renfrew, not going so far as Ottawa, or would stop at Pembroke, and tell the people of Lower Canada: "I am sorry to be supposed to be sectional, but we had rights acquired by the almost unanimous consent of this House, and when I do plead the interests of my Province, I am only asking for justice, to build their own connection." The hon. gentleman would not come to the help of the Local Government of Quebec to build the line. He said the old company which would have benefitted by that was no longer in existence. How did he know that this company which asked him to subsidize that line by the valley of the Ottawa would not be to-day in existence if he had tendered it the help he extended to the Canada Central Company, which comprised more of his own political friends? When he (Mr. Masson) asked the hon. gentleman to bring the railway to the east shore of Lake Nipissing, was his intention only to reach Lake Nipissing? No; it was part of the greater scheme which he proposed, and which met the approbation of many hon. members opposite. His scheme was a broader one than that of the hon. gentleman. He (Mr. Masson) said: "You want to reach the waters of Georgian Bay. Well, instead of building that branch from Lake Nipissing to French River, continue the plan you have begun. You have begun by saying you had to improve the navigation of the river some 20 miles, continue your plan; bring the Georgian Bay Branch to Lake Nipissing, spend some \$850,000 in extending water communication up to the eastern part of Lake Nipissing, instead of spending that money on the Branch Railway. By that course, you will have acted to good purpose. You will have extended the water communication, your pet scheme, by some 80 or 90 miles." What was the use of the hon. gentleman's plan to-day? What benefit was it to Lower Canada that he reached the waters of Lake Nipissing,

if he did not canalize the river which led to it? The only advisable plan to-day, though it would not be nearly as favourable to Lower Canada as the first one, was, the one which he (Mr. Masson) had begged the hon. gentleman to adopt two years ago, and which met the approval of many hon. gentlemen, namely, to build a canal from French River to Lake Nipissing, to put the terminus at the furthest end of the Lake, the south-east bay, instead of the south bay, to subsidize the line of railway which he approved then, and give Lower Canada a chance of having a railway to the north of Nipissing. The hon. gentleman's plan to-day was against that idea. The hon. gentleman had repeated to-day in the face of his friends from Lower Canada, as recorded from the *Hansard*, that his idea had always been to pass by the south of Lake Nipissing which he thought was the best route and which would be accomplished. None of the hon. gentleman's supporters, from Lower Canada protested against that route which they had all objected to in 1872. He (Mr. Masson) did not blame the hon. gentleman for having gained his point, but he blamed the Ministerialists from Lower Canada for not having made an effort, for not having protested against this route being adopted, for not having said a word in favour of his (Mr. Masson's) proposition which they knew the Province of Quebec approved, as they had themselves approved of it in the past.

MR. HUNTINGTON said the late Government had intended to carry out exactly what the Premier was now carrying out; but the hon. gentleman (Mr. Masson) felt compelled to condemn it, because, in his position of leadership, he must say something which might serve as a rallying cry for his friends in Lower Canada. This extension of the Canada Central Railway was what Lower Canada had asked for in the desire to reach the waters of the great west, and which the late Government had themselves initiated. The hon. gentleman simply desired to raise a sectional cry.

MR. TUPPER said if there was one gentleman more than another, who

was least likely to be charged with sectional views, it was the hon. member for Terrebonne; and it was a peculiar thing that the only charge of sectionalism in favour of his own Province made against him should come from gentlemen from the same Province. It showed a remarkable disinterestedness on the part of the gentlemen who made the charge. The hon. gentleman (Mr. Masson), however, was quite justified in pointing out that the route on the Quebec side was the most advantageous. He (Mr. Tupper) did not intend to enter into a long and vain discussion at this advanced stage of the Session, because he knew it was useless. He might say, however, that it was a pity that measures of such great importance should be brought down so late in the Session. He regretted the previous policy of the Government, the only vestige of which now left was the \$109,000 which had been thrown away. But this proposition was decidedly an improvement on the proposal of four years ago. He wished, however, to question the advisability of extending the line beyond the south and east of Lake Nipissing towards French River, in the face of the scheme of canalization, by which it was stated that for \$886,000 the navigation of the Georgian Bay could be connected with Lake Nipissing. He trusted that the First Minister would pause at the terminus of the Canada Central, and consider whether it was not advisable to build no further in the direction of the Georgian Bay, and to take advantage of the scheme of canalling, by which a great saving could be effected. He also wished to direct the attention of the Prime Minister to the advantage of getting a complete communication across the North-West during the summer as well as winter. This could be done by building a line to connect the terminus south and east of Nipissing with the line from Thunder Bay and Red River. Had the Pacific Railway been carried out as originally intended, there would have been no necessity to subsidize any line from Toronto to Ottawa to connect with it. Before sitting down he wished to ask the Minister if he had in this case satisfied himself as to the ability of the parties with whom he was con-

tracting to carry on the work. This he would remember was a precaution which he had to confess he had neglected to make in a previous case.

**MR. MACKENZIE:** I never made such a confession.

**MR. TUPPER:** Yes; I asked the hon. gentleman in the Public Accounts Committee whether he had taken any measures to satisfy himself that the parties were able to complete the work, and he had to confess that he had not.

**MR. MACKENZIE:** I made no confession.

**MR. TUPPER:** Yes; I am in the judgment of the House.

**MR. MACKENZIE:** So am I, as to what is a confession.

**MR. TUPPER** said that if the hon. gentleman considered the word confession offensive, he would say that he admitted that he had assumed, rather than ascertained, the ability of the parties to carry out contract. He desired the hon. gentleman to give the House some assurance that he would satisfy himself of the ability of the parties before they received any of the public moneys. There was a clause to which exception, he thought, might fairly be taken; that was the mode of payment on rails delivered. He maintained that the authority the Government had to make any payment for rails delivered was to be taken in connection with the evidence that the contractors were carrying on the work vigorously to completion, and would complete it within the time. If, under this clause, the hon. gentleman could do what he did before, the House ought to alter it. He did propose to criticize the other change, giving the option of payment in bonds of the company, but it would have to be taken in connection with other parts of the contract. He assumed that the arrangements had been made by the Government, and that they were in a better position to submit it to the House now than they were when the Opposition took well founded objections to their previous policy.

**MR. TUPPER.**

**MR. McDOUGALL** (South Renfrew) said he thought the Bonnechère River route should not have been abandoned by the Government without further information than they now possessed. The only information which they had as to the new route, was, as it appeared to him, just the same as they formerly had with regard to the Bonnechère route, namely, the walking over the road of a competent person. It seemed that Mr. Murdoch had walked over the route from Pembroke, westward to Lake Nipissing. Mr. Hazlewood did the same over the Bonnechère route, and he thought Mr. Hazlewood was as competent to form an opinion as Mr. Murdoch. He thought an instrumental survey of both routes should have been made before any decision was arrived at. He could quite understand that a great deal of pressure had been brought to bear by the Province of Quebec in this matter, and, of course, the people of that Province had a right to be heard. He thought a very strong point in favour of the Bonnechère route was that the Prime Minister's information led him to believe that the route would be shorter than the other. He was afraid, however, that seeing that the hon. member for Cumberland favoured the change made by the Prime Minister, his (Mr. McDougall's) constituents would see that they had no particular persons in this House to look to for sympathy. He, however, desired to bear testimony to the difficulties which he believed anyone occupying the position of Minister of Public Works must encounter in such a matter as this. From his point of view it would be useless to imagine that everything that a person occupying the hon. gentleman's position would do would be the best thing that could be done in the public interest. This would be expecting more than was reasonable from the hon. gentleman. It was as gratifying to him as to anyone in the House that the hon. the Minister of Public Works had not only been able to answer all attacks on him as to personal dishonesty to the satisfaction of everybody in the country, but those made upon him with reference to the want of judgment and interest in the public works of the country.



Mr. DESJARDINS said the hon. member for Cumberland had stated that if there was a member in this House who was above the accusation of being sectional, it was certainly his hon. friend from Terrebonne; but he (Mr. Desjardins) would go further, and say that if there was a member who had not the right to accuse any member of being sectional it was the hon. the Postmaster-General. When the hon. gentleman uttered the word sectionalism, no one could help remembering what that hon. gentleman had himself done in this direction in their Province. The hon. member for Shefford said that no one opposed the policy actually proposed by the First Minister regarding the location of the route to the south of Lake Nipissing; but he would show by the Votes and Proceedings of 1872 that when Mr. Blake, seconded by Mr. Mackenzie, moved that to the words "the line from the terminus east of Lake Nipissing should extend from some point at or near Lake Nipissing on the south shore," be added "passing if practicable south and west of the said lake," it was strongly opposed; and amongst the hon. members who voted against this proposition, were the names of Messrs. Barthe, Richard, Bourassa, Cheval, Coupal, Delorme, Dorion, Fournier, Geoffrion, Holton, Pâquet, Pelletier, Pozer and Pouliot. Another sectional motion was made on the same occasion by Mr. Dorion, seconded by Mr. Holton; when the Province of Quebec, through the great majority of its representatives was willing to compromise with Ontario, and select the south shore of Lake Nipissing as the terminus of the Pacific Railway. Mr. Dorion asked that the terminus should be located on the further east shore of the Ottawa River, and those who voted in favour of this proposition were Béchard, Bourassa, Cheval, Coupal, Delorme, Dorion, Fortin, Fournier, Geoffrion, Godin, Holton, Joly, Pâquet, Pelletier and Smith (Westmoreland). This proved, he thought, that if sectionalism existed anywhere, it was on the part of the Liberals then, and not on the part of the Conservatives of the Postmaster General, favoured the great political policy which had been advocated by his hon.

friend from Terrebonne, since he (Mr. Desjardins) had had the pleasure of hearing the hon. gentleman speak in this House. The hon. the Postmaster General has also denied that that policy was Sir George Cartier's policy in 1872. A letter from Sir Hugh Allan, then President of the Canada Pacific Railway Company, to the Secretary of State at Ottawa, which he would read, would show the value of such denial as we find in his documents, the whole of the policy adopted by Sir George Cartier, now advocated since that time by his friend from Terrebonne (Mr. Masson) and the Conservative party of the Province of Quebec.

"OFFICE OF THE CANADA PACIFIC RAILROAD  
"MONTREAL, 9th July, 1872.

"SIR,—With reference to the last communication addressed to you, by the Secretary of this Company, advising that the Company was now prepared to accept of the contract for the building of the Pacific Railroad, on the terms and conditions authorized in the Act of Parliament; I have now the honour to state, that if the building of the Pacific Railroad is given to this Company, it will agree, with such assistance as may be obtained from the Governments of Ottawa and Quebec or such other assistance as may be given us, to build a branch railroad from some point on the main line of the Pacific Railroad, near and north of Lake Nipissing, to Hull, opposite Ottawa, there to connect with the Northern Colonization Railroad. This route will cross the Ottawa at Deep River or some other point as far up on the north shore of the Ottawa, in the Province of Quebec, as the nature of the country will admit.

"This Company will also agree, with such assistance as we may obtain from the Government of Ontario, or other assistance that may be given us, to build another branch railroad from the Nipissing terminus of the Pacific Railway, to such a point in the Province of Ontario, as will connect the Pacific Railroad with the railway system leading to Toronto and other parts of Ontario."

Here was a Dominion policy, and when they desired to see sectionalism exhibited, they had to go to hon. gentlemen opposite. These facts answered pretty thoroughly the remarks of the hon. the Postmaster General. They were promised this year the sum of \$100,000 to build the Georgian Bay Branch Railway. He did not consider this a serious vote, because it was well known from the expenses incurred,

merely by the surveys, that the Government could not go very far with \$100,000. His impression was, the first Session of next Parliament would see this sum proposed as a revote, and that not one cent would be spent. He believed that it would have the same fate as the vote for \$1,000,000, which was voted during two years, 1874 and 1875, to show that there was some semblance of sincerity in the promises which had been made on the hustings in the Province of Quebec during the general election in 1874; and now that we were on the eve of a new election, the Government came down and proposed this vote, to show the electors of the Province of Quebec that their anxiety in this direction was now as great as ever, thinking that their former conduct would be wholly forgotten. This vote was not sufficient, and he did not believe that it would be devoted to the end in question, but would seem only to Liberals that the claims of the Province of Quebec had not altogether been set aside by the present Government.

MR. WHITE (North Renfrew) said that he did not propose offering any opposition to the motion now before the House, nor to criticize the action of the Government in changing the route from that contemplated by the Order-in-Council of 1874. The grand object which he and those who thought with him desired, and which should actuate the Government in reference to the construction of the road, was the obtaining of the best and cheapest line for the carrying of the products of the great North-West to the seaboard, and it rested with the Government, and the Minister of Public Works particularly, who had special charge of the Department, to be guided by such information as was in his possession concerning the particular route which would best accomplish this object. He had no hesitation in saying that the contemplative change of route would be greatly advantageous to the people of the Province of Quebec, as they would obtain much easier communication with the Canada Pacific Railway than would have been the case had the original project been carried out. Though he did not pretend to any

MR. DESJARDINS.

engineering knowledge, he ventured to say that whilst it might be possible to carry the road to the mouth of the Matawan, on the north shore of the Ottawa, from his knowledge of the country it would be almost impracticable to follow that route beyond the mouth of Deep River. The proposition made by the Government to go on with this work, he thought, should have the support of all the members representing constituencies in the Ottawa Valley, though it was true that the Government had been somewhat dilatory in carrying out this undertaking, which they were bound to consider, from the sentiments expressed by the Premier, one of very great importance. This work, under the Order-in-Council of 1874, should have been completed by 1st January, 1877; it had been postponed for a great length of time, but tardy and dilatory as the Government had shown themselves to be in this matter, if they now intended to carry out this particular work, he thought that they deserved the thanks of the representatives of the section interested. He quite agreed with the hon. member for Hochelaga, that the *bond fides* of the Government was not very strongly indicated by the small vote placed in the Estimates for this purpose. It seemed to him that if the Government honestly intended to carry out this work they would have placed a very much larger sum in the Estimates.

MR. MACKENZIE: The hon. gentleman made the same mistake as the hon. member for Hochelaga. This Order-in-Council is merely to authorize the Government to pay a certain subsidy; the \$100,000 is for the expenditure on the branch west of the subsidized line, which is provided for in Order-in-Council before the House.

MR. MASSON: There is no subsidy.

MR. MACKENZIE: Oh! yes, there is.

MR. CARTWRIGHT: After ratification by Parliament.

MR. WHITE said that this only made matters all the worse. The hon. gentleman had taken no vote for the Canada Central Railway Extension.

There was a vote, it was true, for a work which the hon. gentleman did not say he proposed to go in with this year, but there was no vote for the purposes for which he asked the House to ratify this Order in Council. Regarding one paragraph of this Order-in-Council he would like to have some information from the hon. the Minister of Public Works. It was as follows:—

“That the proposition of the Canada Central Railway Company to extend the line to such a point as may be selected by the Government as the terminus of the Canada Pacific Railway at or near the crossing of the Nipissing Road at the South-East Corner of Lake Nipissing for the sum of one million and four hundred and forty thousand dollars (\$1,440,000) should be accepted, upon the condition as to grades, recommended by the Chief Engineer—and that the total payment to be made shall not, under any circumstances, exceed the sum of twelve thousand dollars (\$12,000) per mile.

“That the Company shall, within three months of the ratification of this Order-in-Council by the House of Commons, satisfy the Minister of Public Works that they have entered into a *bonâ fide* contract, or contracts, for the building of the Railway, and have provided sufficient means, with the Government bonus, to secure the completion of the line—and also that the Company shall, from the date of such contracts, make continuously such progress as will justify the hope of the completion of the line within the time mentioned.”

Was the House to understand that the time mentioned in which the work was to be completed meant three years from 10th February, 1877, or three years from the date of the ratification of the Order-in-Council. It did not appear to be very explicit on this point. Although the Order-in-Council specified that the work was to be done upon a certain plan with certain grades and curves specified by the Engineer-in-Chief, yet there was no stipulation regarding the quantity of these rails which were to be used on this particular line. If he understood the policy of the Government with reference to the Canadian Pacific Railway proper, it was to be a first-class road and built with steel rails from one end to the other, and the proposition now before the House was to ratify an Order-in-Council granting a subsidy to a road without any stipulation as to the quality of rails to be used,

and over which the whole of the traffic of the Canadian Pacific Railway was expected to pass. He ventured to say that if the rails now lying at Renfrew, and on which the Government had made a payment were used on this road, it would be very far from being at all equal to such a road as one which was so largely subsidized with public money should be. The position in this Order-in-Council, as he understood it, did not increase the amount of subsidy, although the distance was greater from Pembroke to the point proposed as the eastern terminus of the Canada Pacific Railway than the distance formerly in question. He thought that the Minister of Public Works might very fairly consider the proposition made by the hon. member for Terrebonne and the hon. member for Cumberland. With regard to the canalization of French River, this would not only save a very large sum of money, but also carry out what had long been contemplated by the different Governments of this country, and what he thought must, some time or other, become an accomplished fact. Further than this, the Premier had not decided, as he understood it, that the part of the road leading from the terminus on Lake Nipissing, down to Cantin's Bay could be, or would be, utilized in the further construction of the road to the head of Lake Superior. If the hon. gentleman was not satisfied that the Georgian Bay Branch could be utilized on the main line, he ought to give some consideration to the suggestions made with reference to the canalization of French River.

MR. PLUMB said that the First Minister had stated that the late Mr. Foster had, in his lifetime, failed to fulfil his contract. It was well understood, two or three years ago, that Mr. Foster had given up his contract, and received from the Government a very large sum which had been put up as security for the fulfilment of his contract, which had been undertaken without the slightest knowledge of the country over which this road was to be built; and this was done when hon. gentleman opposite taunted hon. members of the Opposition with having agreed to build a railway without

having proper engineering knowledge regarding it, when there was pressure on the country to build such a line. It might be, and he did not doubt that would be, ultimately desirable to build this road; but such was the haste shown, that the arrangement was made in November, 1874, and carried out by an Order-in-Council in March, 1875. The terms which had now been made with the Canada Central, were nearly identical with those which were made before, and he had no doubt that if the change of route, if the money had to be expended, and the work done now was desirable, so far as it took up what might be called the parliamentary line, and brought the western terminus to the point where connection with Cantin's Bay might be made, the subsidized line would be simply extended, making the outer line, to be built by the Government, so much the shorter. The First Minister had stated that a line could be run from there to Pic River, and, if so, he could not see the necessity for laying out a large sum of money in opening a connection from that port to the mouth of French River. He did not see that there was any prospect of a considerable amount of trade coming down by the water stretches. It was not likely that a system of this kind could have any large amount of business, when there was another large competing system. The equipment of this line was very important, and could not be too emphatically brought to the attention of the House. Any route subsidized by the Government, should be laid with steel rails, which was to be part of a line in which the Government was interested, and over which must necessarily pass the traffic of the West. If there was anything in this line at all, over it the bulk of the traffic of the Canadian Pacific Railway was to come; and it should be insisted upon that this road should be laid with steel rails. The First Minister had made a very strong argument in the House in favour of relaying the Intercolonial Railway entirely with steel rails; and had said that part of the road laid with iron could not be successfully operated when the other portion was laid with steel. Great objection was raised to the taking up of iron rails not worn

out, but the First Minister said that this was absolutely necessary to ensure the successful operation of the road. This was much more necessity in this case, as this road would form the intermediate link in the eastern and most important section of the Pacific Railway. Perhaps the subsidy should be somewhat larger; but it was evident that no road laid with iron could be first-class; and he would look with more suspicion on this road in this relation than on any road in Canada. Again, there were four or five ways in which payments of the subsidy could be obtained, and each one was of a more favourable character to the contractor than the one contained in the previous contract. Every one of them, in some way or other, weakened the position and hold of the Government upon the people, who would build the road. In the first place payment was for every 20 miles completed. Now it was for every 10; and a larger proportion of money was to be paid as the work progressed, and not only so, but there was actually a provision by which the Government should pay out money to the road on mere ballasting and grading, work of the most inferior character, which did not involve the final completion of the line; and the Government might find itself in the difficulty of either losing altogether what was advanced or of completing the road. They were told that the company would have the option of requiring the Government to guarantee the interest on its bonds. Nothing could be more objectionable than for the Government to mix itself up at all with the bonded debt of a railway company over which it had no control. The bonds would be sold with the Government guarantee, and in consequence of this a higher price would be obtained. The guarantee might be for a certain number of years, but the Government did not undertake to pay the bonds, though holders would naturally suppose that the Government was in some way or other responsible. The Government would thus be placed in a false position, and if everything was to be paid it should be so paid as to ensure the fulfilment of the contract and the building of a first-class road.

Not a dollar should be expended on this contract, except as the work went on, and this should be done in such a way as to ensure the absolute completion of the work. Railway building was now hazardous, and great railway proprietors and contractors had met with very serious losses. Many of them were not in the condition they used to be. He did not see that the Government, in making this contract, had secured themselves in any way. Every dollar of this subsidy would be thrown away unless the road was completed. It was perfectly certain that if a large amount was expended on the mere grading and preliminary parts of construction, the Government would be in the position of suffering loss if the road was not completed. They had put themselves, so far as could be seen, in the way of every possible trap that an acute railway contractor could set for them; and in this regard the contract needed the most careful revision. He was mistaken if, before they were through with this, they did not find that there were points which should have been guarded; and that some of these were those to which he called attention. He had reason to suppose that there was a very grave reason which had induced the Government to make a contract in the first place, by which the Government had lost, at least, \$100,000, at all events, arrangements should be so made as to ensure the road being first-class, as compared with the road with which it was intended to connect.

MR. LAURIER said that while hon. gentlemen opposite on every occasion, pretended to rise above sectionalism, they never lost one occasion of making a sectional point, and of raising sectional feeling against the Government. The hon. member for Terrebonne had been particularly happy in his denunciations of sectionalism and in claiming for himself that he looked on every question only from a national standpoint; and yet the whole position of the hon. gentleman and the gist of his criticism, and, in fact, its very language, simply amounted to this: that the hon. gentleman objected to the resolution for no other reason than be-

cause the subsidized portion of the railway happened to be located on the Ontario side of the Ottawa River and not on the Quebec side. If the contrary were the case, the hon. gentleman would have nothing to say. The hon. gentleman complained bitterly of the Quebec supporters of the Government as being remiss in the performance of their duty, in not insisting that the subsidized section should be built on the Quebec side of the river. Could anything be more sectional than that? The hon. gentleman commenced by declaring he would not be sectional, and in the next breath (the whole objection was simply a geographical one) declared that the subsidized portion favoured one Province instead of another. He regretted that the hon. gentlemen opposite from the Province of Quebec maintained that line of argument; in holding their present opinions they were slapping their own faces and turning their backs upon their former conduct. They quoted the policy of Sir George Cartier on this point. The policy of Sir George Cartier and of the whole Conservative party on this point was precisely the same as the policy of the Government now. In 1877, these gentlemen advocated what they now repudiated. The policy which they held to the electors of Quebec, not only during the elections of 1872, but previous to the elections, was precisely that the Canada Central Railway should be subsidized from Lake Nipissing outwards, to connect at Hull, Ottawa or Pontiac, with the Northern Colonization Railway. He held a speech delivered during the celebrated election in Montreal East, which was fought chiefly upon this Pacific Railway. By their policy, the eastern portion of the city of Montreal was to be made practically the terminus of the Pacific Railway. What was their *modus operandi*? What they offered to the people of Montreal in support of their views, was exactly what was now proposed. He held a speech delivered by a gentleman, who played a somewhat considerable part in these elections, Sir Hugh Allan. He appeared at a meeting in the month of August, 1872, in the eastern division of the city, and there stated that the

terminus of the Pacific Railway was to be at or near Lake Nipissing, that negotiations were going on with a view of constructing a branch from that place to Hull, where it would be tapped by the Northern Colonization Railway, thus making the eastern of Montreal, the real terminus of the Pacific Railway, and that Sir George Cartier was in accord with him on that point. This was the language used at a meeting in favour of Sir George Etienne Cartier.

**MR. MASSON:** Sir Hugh Allan was not the authorized speaker for Sir George Cartier nor for our policy.

**MR. LAURIER** said his own impression was he was there.

**MR. MASSON:** He was not there.

**MR. LAURIER** said, well, he understood the hon. gentleman to say that when Sir Hugh Allan spoke as he did, he was not authorized, and that he did not deliver the true idea of Sir George Etienne Cartier, whom he represented on that occasion. If so, they had only to choose the other alternative, that all the Conservatives who were there, listening, were simply deceiving the people, and endeavouring to make a political point in favour of their candidate. But these gentleman, however, would not attempt to deny the language spoken by Sir George Cartier himself on the floor of the House, on the 17th February, 1872. He stated that without the Northern Colonization connecting with the Canada Central *via* the Canada Pacific Railway, the road would be an injury to Montreal, rather than otherwise. His views were that the road should be brought from Lake Nipissing by the Canada Central Railway to join with the Northern Colonization Railway. At that time this country was making itself very industrious to establish a railroad from Montreal to Ottawa River with the avowed object to make connection with the Canada Central Railway. The policy of the Government was exactly to subsidize the Canada Central Railway and to let it be stopped by the system of the Province of Quebec, thus bringing all the benefit of the road to the city of Montreal. Though

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these gentlemen pretended not to be sectional. Yet when the country was on the eve of elections, they would be sectional; but the thing which would work in 1872 would not perhaps have the same effect in 1878. In 1872 their platform was that the policy of the Government was to subsidize the Canada Central to connect with the Northern Colonization, but knew their policy was altered and the sectional point was raised that this Government was doing nothing for Quebec since it had subsidized a line for the sole Province of Ontario instead of Quebec. As far as his opinion went it mattered very little, indeed, whether the subsidized portion of the road happened to be upon the soil of Quebec or Ontario, if the effect of that subsidized railroad were to bring the traffic to the railway system of the Province of Quebec. This is what it was calculated to do; it could not do otherwise. Take the Railway Act of 1875 which had created the railway system of the Province of Quebec, and what did it say? The very first section held at the policy which was being held up by the Government. It said there was to be a railway constructed to commence at the Port of Quebec, extending from deep water in the same port *via* Montreal to such port in the county of Pontiac as might be most suitable to connect hereafter that railway with the subsidized portion of the Canada Central Railway. Thus the Legislation of Quebec, when it established its railway system confirmed the position of the Government. It was not without astonishment that he saw gentlemen opposite taking the position they now took. Of course, we were on the eve of elections and this would be made a cry at the next elections. It would be the very reverse of what was said in 1872. Then these gentlemen said to the people of Montreal that the Central Railway should be connected with the Canada Central. Now, the cry would be that the representatives of the Province of Quebec had been remiss in their duty in not forcing the Government to subsidize a line upon the soil, a few acres upon the soil of Quebec, instead of subsidizing a few acres on the Ontario side of the River Ottawa. He trusted the

people of Quebec would understand this question, and would support the policy of the Government.

MR. LANGEVIN said the hon. gentleman began his speech by taking to task the hon. members for Terrebone (Mr. Masson) and Hochelaga (Mr. Desjardins) saying that they would not take a broad view of a question of this kind, that they looked to sectionalism before anything else. It would have been a great advantage to the Province of Quebec for the Eastern portion of Canada, if the hon. gentleman and his colleagues, from the Province of Quebec in this Government, had been a little more sectional than they had been. If sectionalism meant to be in favour of a policy which would not only develop the other Province, but would also develop the Province of Quebec, his hon. friends from Terrebonne and Hochelaga were sectionalists. They did not wish that every other Province might advocate improvements, and their interests not be looked after. Everything good and profitable to the other Provinces should be voted; on the other hand, the member of the Opposition from the Province of Quebec expected a reciprocity; more than that, they expected that the hon. gentleman who represented that Province in the Government would not close their eyes and shut their ears to its petitions and claims, but that, while they advocated the interests of the other Provinces, they would also look after the contents of their own. The hon. gentleman said that all this trouble was about a mere geographical objection; that meant the hon. gentleman had no objection, would never complain so long as the Central Railway, or any other work, went from one end of the Province to the other. Whether it went through the other side of our line or not, he would not complain. Whether a dollar was expended in his own Province or not was a matter of indifference, provided he could see it from his own windows. Quebec was not jealous of the good fortune of Ontario, but could not be blind by its own interests. The Province of Quebec had gone into debt to the

amount of ten to twelve million dollars to complete the railway from Quebec to Hull; and whilst the Dominion Government had to build a railway which might connect with it, they refused to build a mile of railway in that Province. No; Quebec had to build every mile of railway at its own cost, and yet this Government built every mile of the railway, Dominion work, towards which Quebec contributed like others, on the territory of the other Provinces. He did not complain of the Government building railways elsewhere, but they should have helped Quebec. When they saw Quebec expending such a large sum of money, running into debt to that amount, they should have helped it, by giving a subsidy to the line from Portage du Fort or Deep River. But, no; nothing was done. The representatives from that Province supporting the Government did not say a word about it. They remained silent, or, whenever they opened their mouths, it was to say they had no claim; the Province of Quebec need not apply for a dollar from this Government. But the railways built by Quebec were not only for that Province, they benefitted Ontario as well, which to-day used the railways constantly, and which tended to the development of Ontario. The Dominion Government should have answered the call of the Quebec Legislature to help them in their great railway undertakings. The hon. the Minister of Inland Revenue said the hon. gentlemen on this side of the House were slapping their own faces and turning their backs on their own professions. He (Mr. Langevin) was glad the time had come when the hon. gentleman now, after having abused Sir George Etienne Cartier when he was living, having declared that he should be hunted out of public life, after having abused his policy, came down to this House and said: Our policy is the policy of Sir George Cartier. If that were the case, why did they abuse and drive him out of the Province at the elections of 1872. But the policy of the Government, though the hon. gentleman might say so, was not the policy of Sir George Cartier. Sir George's policy was not only to make Montreal the eastern terminus of the railway, but he

wished to have that railway to go up by the Ottawa, and, as far as possible, on the territory of Quebec and then to cross Ottawa where suitable, and to continue to the east end of Lake Nipissing, and not at the south end of the lake. Not only that; he and the Government of which he was such a distinguished member, had the idea that that route should be extended west, and not stop at Lake Nipissing. The Government, however, thought it was better to build a little bit of railway here, and another little bit there. They were building two sections from Fort William to the west, then they left a tract without a line, and built another bit farther up. That was the good policy of this Government, what they called the policy of Sir George Cartier. The policy of Sir George Cartier and his Government was to build a railway from one end to the other, as fast as possible, not bits by bits, here and there, but one continuous line, all our own territory, and not to pass through the United States and be a tributary to a foreign power. The hon. gentleman had attempted to quote a speech or a letter of Sir George Cartier's in 1872 in Parliament. The hon. gentleman should have remembered that at that time the railway was only being talked of, there was no settled plan and no contract given, and therefore the expressions of opinion on both sides of the House were mere expressions of opinion. They were then only discussing the project. But when the scheme became matured, Sir George Cartier saw it should be one which would commend itself to the whole Dominion, and that we should have as short a line as possible from the eastern to the western terminus. If quotations from letters of speeches of hon. gentlemen on this side of the House were to be indulged in, he might as well quote the hon. the Minister of Public Works against himself. He said at the time, referring to the connection at Lake Nipissing, that it was a mistake, that it would serve no purpose as far as its navigation was concerned.

**MR. MACKENZIE:** I say so now.

**MR. LANGEVIN:** The hon. gentleman said so now; nevertheless, he

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went to Lake Nipissing. Should the hon. gentleman remain in power, he would have to come to the whole of our railway policy. He would see that it was a mistake to begin his railway at Prince Arthur's Landing instead of at Nepigon Bay. He would see it was a long piece of road uselessly built. This was not what the country wanted. The country wanted a line from one end to the other, from east to west, until it reached the Pacific Ocean. The hon. gentleman had shown a map by which it would be seen that the intended line would go south of Lake Nepigon, between Lake Nepigon and Lake Superior. It would strike Nepigon Bay at the point where the branch of the railway should have been completed for the time being, because when the road from the last would have come from Nepigon Bay, that branch would have become a main line, instead of that he built. The line from Thunder Bay to the west. What would be the consequence? A large portion of that branch would be left south of the main line and would not be required, because at Nepigon Bay, Lake Superior would be touched where there was a good harbour, and, therefore, that expenditure of money was not required, and, therefore, could have been devoted to a much better purpose on the main line. The hon. the Minister of Inland Revenue said there was nothing to complain about so long as the proposed scheme brought the traffic to the Province of Quebec. The people of Quebec did not complain that the railway would bring the traffic to the Province of Quebec, but what they complained of was that the Government did not help their railway undertaking. He (Mr. Langevin) saw the words "entire completion" in this Order-in-Council. Now "entire completion" meant the railway not only complete with the iron and rails, but also with the rolling stock. He wished to know whether "entire completion" meant that the road would not only be built, but kept in running order.

**MR. MACKENZIE:** Yes, certainly.

**MR. LANGEVIN** said he must warn the hon. gentleman, in the interest of the country, not to have this as it was.



He would warn the hon. gentleman not to pass the order as it was, for he considered the contract was a very loose one as at present drawn. While it was requisite to put everything into the contract necessary to protect the public interest, there was nothing said about the quality of work. He agreed with the hon. member for Niagara that this road should have steel rails, and not iron rails. There was nothing said in the contract about stations, about rolling stock, or about any matter of detail, an omission which would surely involve the Government in trouble in the future. The contract should contain everything comprehended in the intention underlying the granting of the subsidy. He hoped that the Government would make no advances upon rails until they were laid down on the bed of the road.

Mr. CAMERON said that the Ontario railways would, by the Order-in-Council, be excluded from having running powers over the Canada Central, which he contended was illegal. He also complained that the building of the Georgian Bay Branch and the subsidizing of the Canada Central was part of a scheme which would amount to a diversion of traffic from Toronto, Hamilton and other places in favour of Montreal and the Province of Quebec generally. The expenditure was one injurious to the interests of Ontario. The only way in which they could counteract the influence of the Georgian Bay Branch and the Canada Central was to establish feeders to connect with and tap those lines. In Ontario they were doing that work already at their own expense, and it was, therefore, most unfair that they should be excluded from having powers. He thought some account should be given of the 237 tons of rails which had been given, and also that the company should be compelled as a condition of the bonus to lay down steel rails. He contended that no advances should be made with regard to rails until the rails themselves were laid down. He also objected to advances being made upon little pieces of work here and there, which were of no value until they were connected. The advances should be made upon continuous work only.

After the experience they had of the loss to the country from the looseness with which Orders-in-Council had been drawn, it was their duty to see that the same difficulties and losses did not recur. He moved in amendment.

"That all the words after "that" to the end of the said motion be left out, and the following words inserted instead thereof;—

"In the opinion of this House no subsidy should be granted to the Canada Central Railway Company for the construction of a Railway to connect with the Eastern Terminus of the Canada Pacific Railway, or the Georgian Bay Branch thereof, except upon an agreement being entered into by the Company to grant running powers on terms to be approved of by the Governor in Council to all Railways intersecting or connecting with the said Railway, in accordance with the provisions of the Canada Pacific Railway Act, 1874."

Mr. OUIMET said he was glad to understand that the Province of Quebec was better off under this proposal than it was under the previous scheme of the Government. The Minister of Inland Revenue had been very quick in stating that he and his colleagues had at last succeeded in doing something for the Province of Quebec, but the electors of that Province would see that it was due, not to the Ministers, but to nature.

Mr. KIRKPATRICK said he desired to call the attention of the Government to what appeared to him to be a clear departure from the law in this Order in Council. This Order in Council was passed under and by virtue of the 14th clause of the Pacific Railway Act, which provided :

"The Governor in Council may also grant such bonus or bonuses, subsidy or subsidies, to any company or companies, already incorporated or to be incorporated, not exceeding twelve thousand dollars per mile, as will secure the construction of the branch lines extending from the eastern terminus of the Canadian Pacific Railway, to connect with existing or proposed lines of railway."

And, also, that the Governor in Council might do, with respect to giving other roads running powers over the road. This empowered the Government to grant a bonus not exceeding \$12,000 per mile to secure the construction of the branch line. This Order-in-Council proposed to do some-

thing more; and something which the Governor in Council had no power to do. It granted the bonus of \$12,000 a mile to the Canada Central Railway, and assumed to do more. It said that the company should have the option not of taking the bonus of \$12,000, a mile, but of substituting for it payment, by the Government, of the interest on the bonds of the company; and, therefore, those payments might extend over twenty or thirty years; which the Government had no right to do. They had no vote out of which this money could be paid. There was no authority in the Statute for forming any fund out of which these payments could be made. They had power to grant a bonus, but no power to grant anything more. To give the company the option of having the interest on their bonds paid was beyond the power of the Government, and would be *ultra vires*. He did not see how the Governor in Council could make another Order guaranteeing this interest. No authority for it existed in the statute. He thought that this matter had been overlooked. The proposal with regard to the payment of the rails would leave the Government open to the same chance of having old and bad rails foisted on them, and of paying for what would be useless, and of being, so to speak, robbed. They had to pay for rails when delivered. There was a remarkable difference between the two clauses,—first, the work was to be paid for, on the certificate of the Engineer, that satisfactory progress was being made, but for the rails no such certificate was required, as long as they were delivered, the money was to be paid.

MR. MACKENZIE: The hon. gentleman is mistaken. All payments are to be made on the certificate of the Chief Engineer.

MR. KIRKPATRICK said that a certificate was required, with regard to the work, as mentioned, but no such certificate was required with regard to the rails.

MR. MACKENZIE: Nonsense.

MR. KIRKPATRICK said that the Order-in-Council was before them, and

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they knew what had been done in the past. He would not have thought it necessary to call attention to this, if they had a careful Government; but experience told them that the Government paid for rails, when not a sod had been turned, nor the first commencement of the road made, and when they were dumped down from six to ten or twelve miles from the place where they should be. They were likely to have the same thing occur again.

MR. WOOD said that the object of the deputation, which waited on the Government, some three or four years ago, when this scheme was proposed, was not to protest against the building of this Georgian Bay Branch Railway, but to receive, if possible, from this Government the building of two lines running north from Lake Ontario to the Canadian Pacific Railway. The First Minister had refused the request, and, he thought, wisely. If this proposition had been entertained, the Premier would, no doubt, have been besieged by deputations from other sections, asking for similar favours; and the people of Ontario, who paid the larger proportion of the taxes, would have had to pay for the lines from the east as well. The deputation, and some of its members were Conservatives, went away perfectly satisfied that the Government was pursuing a course which was in the interests of the country. He was not at all afraid that this branch railway, when built, would divert trade altogether from Kingston, Hamilton, Toronto or London. The merchants of these places were quite prepared to compete with the people of the east; and, if they could not do so with these privileges, they must stand on one side and let the people of the east do the business. The hon. member for North Victoria had said that it was directly against the interests of Ontario to have this branch built; but he took a different view. This work would necessitate the expenditure of a large amount of Government money in Ontario; it would open up the back-bone of a country which had never been opened up before, and would be of very great advantage to Ontario. He was quite satisfied that

the Ontario Government would take the opportunity of subsidising such roads as would be in the interests of the Province, to reach the Pacific Railway when it was constructed. He did not think that this Government would take the responsibility of preventing the Province from connecting with this road; and he was quite satisfied that his hon. friend was mistaken in the view he took of the Act of Parliament on which this Order-in-Council was passed.

**MR. BOWELL:** How?

**MR. WOOD** said he was quite satisfied that the Government would adhere to the terms of the Act passed in 1874. So far as Ontario was concerned, he thought that the building of this branch would be in its interests and that it would be against the interests of the Government to entertain the scheme of granting subsidies to the various Provinces, in order to make connection with the Pacific Railway. He, therefore, hoped that the Government would refuse any such proposition. If the various Provinces, however, wished to do so out of their own funds, let them do so.

**MR. MASSON:** This is a vote of want of confidence in the Government.

**MR. WOOD** said that Ontario would furnish the funds if she desired to carry out any such project. He merely rose to correct the impression left on the House by the remarks of the hon. member for North Victoria, with reference to the deputation mentioned.

**MR. McCARTHY** said he had always been opposed to the expenditure of public money to subsidise the Canada Central and build the Georgian Bay Branch. He desired to look at this question, not from a provincial, but from a national standpoint. He quite agreed with his hon. friend from North Victoria, that the construction of this line, the subsidising of the Canada Central and the building of the Georgian Bay Branch would have the effect of diverting trade, from its natural channels through Ontario, that would come from the Pacific Railway. If it was fair to the other portions of the Dominion, and proper and reasonable that these lines should

be subsidized, and this money expended in the interest of the whole Dominion he would be very sorry to be opposed to it, but what was the fact? We had undertaken to build the Canadian Pacific Railway, and all parties had agreed that the Eastern terminus of this road should be South and East of Lake Nipissing. He did not think there was any dispute to that. He found in the Act passed in 1872 that this was pointed out as the terminus of the road, and in the Act passed in 1874 this same policy was followed; and this had also been made the terminus by hon. gentlemen opposite. Then why, if this terminus was to be the end of the Pacific Railway, should, and on what principle would this enormous sum of money be granted by the Dominion for the point, in fact, of extending the Pacific Railroad. Let them look at the present position of the Pacific Railway. For the present, at all events, the Government had practically abandoned the building of the section of this road commencing at Nipissing and going to Thunder Bay, so that the terminus, for many years, of this road was to be on the west side of Lake Superior. If this road had an actual terminus at Lake Nipissing it was very possible that it might be necessary, in the interests of the Province of Quebec, and of the whole Dominion, that the road should be extended to connect, and form connection, at Montreal; but for many year to come it was quite plain that if the policy of the Administration was carried out the section of the road around Lake Superior would not be constructed. Then what would be the effect of building this piece of road? They were to build it all at a cost of something near four millions, because it would require one and a half millions in round numbers for the construction of the Georgian Bay Branch, and two and a-half millions more in round numbers to make the French River navigable, and we were to expend this enormous sum of four millions to do what? Not to connect the Canadian Pacific Railway, but to build one line, or rather two lines, through the Province of Ontario, to form a connection with the Georgian Bay. Where was the utility of this?

Take the city of Montreal, and follow the existing line of road, and what did they find coming by the Grand Trunk to Toronto, and from there to Collingwood by the Northern Railway—a distance of about 420 miles was traversed—that was the distance according to this line? When we had spent our four millions, how much nearer to navigation of the commercial centre of the Dominion would we be? About 20 miles, as compared with the line he had indicated; and by the Midland Railway, branching from the Grand Trunk, he believed that the distance was about the same or something less, so that to reach the Georgian Bay by another route, which was not, and would not be, shorter than the existing lines of railway, of which we had quite a number, we were now pledging ourselves to adopt this Order-in-Council and endorse the payment of four millions; and this was the only immediate result, at all events, that could be obtained from that end. If we had abundance of money, and more than we knew what to do with, and if this Pacific Railway was not going to tax all the energies of the Dominion, as we were told time and again; if we had it to spare, perhaps; if we were so pressed, and found it so difficult to find means to construct the Pacific Railway, and had British Columbia calling out year after year, owing to the delay experienced in the construction of this line; and if then we found that, instead of building the section between Lake Superior and Red River, only two disconnected links were being constructed, he thought that under these circumstances they were not justified in building this road, not to extend the Pacific Railway, but to make another line terminating at Georgian Bay. For these reasons which he thought were not provincial, but applied to the whole Dominion, he was opposed to this road, and the expenditure of this money now, as he had always been, and no doubt Ontario would have to pay a very large portion of the expense of constructing this road for the express purpose of diverting traffic which otherwise would go over their road from Collingwood, by Midland, Southampton and Sarnia, where there were quite a number of

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means of communication between the great West and water communication. This was the case when the matter was looked at from a provincial point of view, but he did not desire to do so. He wished to regard this question from a national point of view; and if it was fair and just for the whole Dominion to pursue this policy, though it was opposed to the interests of the particular Province from which he had the honour to come, he should feel bound to support and vote for it, but because he did not find it in the interests of the whole Dominion that we should spend four millions to build another disconnected link of the Pacific road—for call it what they liked, it was nothing more nor less than an extension of the Pacific Railway, and the Government not satisfied with having to build 2,800 miles of road wanted to build 200 more—and because this line would be only about 15 miles shorter than existing lines, he was opposed to this policy and the Order-in-Council which had been submitted to the House to be ratified. If this order was to pass, and he supposed it would, he would ask the Government to weigh very carefully the objections that had been urged against the language in which it had been couched. A more loosely worded document he thought it impossible to conceive of. Any one provision could, he believed, be made to bear almost two or three constructions, and they knew very well that if this was the way in which the contract based on this order was drawn up, a good deal of difficulty would be created between the Government and the contractors of the road. Not one dollar of this money should be paid until the whole road was contracted. This was the way in which he understood that Ontario Government bonuses were granted.

MR. DYMOND: \$2,000 a mile is the ordinary rate, not more than one tenth the cost of the road, assuming the cost to be \$20,000 a mile.

MR. MCCARTHY said that from \$1,000 to \$4,000 a mile were given. If the Government agreed with the Canada Central, to give a bonus of \$10,000 or \$12,000 a mile, the contractors could

finance and raise money on this pledge, for they and financiers knew perfectly well that this was an Act of Parliament, and that the money could not be in danger. If this was done the country would be safe, and would not have to pay the money until the road was built, while the Company would have the benefit of the Government bonus, for investors were willing to advance money on this security. What might result if the other policy were pursued? Ten miles of road only might be built, but would any hon. gentleman vote to give \$12,000 a mile for the construction of ten miles of road. He would not intimate that the First Minister would propose such a thing. They would never dream of giving a bonus unless it was to reach the distant terminus of the Pacific Railroad; but only if ten miles were built, according to this Order-in-Council, the contractors would be absolutely entitled to 80 per cent. of the \$12,000 a mile. They could go on and set at defiance the Government, and they would have no power to help themselves. Further, according to this Order-in-Council, the contractors could deliver their rails—it did not say where, and they would remember that some difficulty in this regard was experienced, with reference to the last Order-in-Council, respecting this line, and they paid 75 per cent on these rails whether delivered at Montreal or Pembroke or Ottawa. The money in any case was to be advanced on them, and they had no security upon the rails themselves. There was, moreover, nothing to prevent the company disposing of the rails. He would draw the attention of the the First Minister to what appeared to be a contradiction in terms in the Order-in-Council in the latter part of the 4th section. The first provided:—

“That payments be made to the extent of eighty (80) per cent. of the said bonus of \$12,000 per mile on the completion of every ten miles—one-half of such payment may be advanced when work equal to five miles is completed on any one section, on the certificate of the Chief Engineer that satisfactory progress is being made—and payment to the extent of sixty (60) per cent. may be made on work extending over twenty-five miles, upon the certificate of the Chief Engineer that such work is equal to ten miles of completed track.

And below:—

“They further recommend that payments be made to the extent of eighty (80) per cent. of the work actually executed, on the completion of every ten miles, in the proportion which ten thousand dollars per mile bears to the actual cost of each section.”

What was the meaning of this? First it was provided that 80 per cent. should be paid on the bonus of \$12,000 a mile on the completion of every ten miles, and further that payment to the extent of 80 per cent. of \$10,000 be made on work actually executed in the proportion which \$10,000 bore to the actual cost of each section. Did this mean that the contractors were to get 80 per cent. whether the work was completed or not? If it meant anything it meant that.

MR. MACKENZIE: That is to provide for this; it might be possible that the company might proceed in the construction of a number of ten miles in places where the work was exceedingly light. There we would not pay in that case the 80 per cent., but have the work averaged over the whole line, and would only pay in proportion to the value of the work done on that particular section. One section might cost \$35,000 or \$40,000 per mile while another might be built for \$15,000 a mile, and it is quite clear that if we had not the provision we have in this section the Government might be in a position which would require them to pay out money that was not really earned.

MR. McCARTHY said he was obliged for the explanation, but he must confess that he was still in the dark.

MR. MACKENZIE: I cannot give the hon. gentleman an understanding.

MR. McCARTHY: Perhaps the hon. gentleman had not any to spare. He thought that the hon. gentleman would have to append and not to express the meaning of this portion of the Order-in-Council. The hon. gentleman said that some sections might cost a good deal and others less, but this Order-in-Council did not say that there was to be any difference in the payments made. It was absolute and conclusive as far as it went. To his mind the portions he had quoted did not bear

the construction which the hon. gentleman mentioned, all he regretted was, he could not understand or see it with the same eyes as those with which the First Minister was able to look at it.

MR. McCALLUM said that after the expense which the country had with reference to this work he was in hopes that the Government would let this matter rest for a while, and would devote their energies on the resources of the country to the building of the main line. It was the policy of the Government, if he mistook not, as announced by the Prime Minister to the electors of Lambton at Sarnia in 1873, to build the main line of the Pacific Railway from Thunder Bay to Winnipeg and to utilize the magnificent water stretches. They had had considerable experience with these water stretches; and he would propose that this portion of the road be abandoned unless the section through to Red River was completed. The Premier now proposed to utilize the water stretches from the mouth of French River to Thunder Bay; but what business was this Georgian Bay Branch going to do when built. Suppose it were built to-morrow, in winter when they go to Georgian Bay they could go no further: and in summer he was sure that the undertaking would not be profitable and the passenger traffic would not pay enough to grease the wheels. He protested against the Government doing any thing of the kind. They had had experience enough already in this direction. The country had lost \$41,000 in connection with this Georgian Bay Branch, being money paid to Mr. Loster, to say nothing of the waste connected with the purchase of rails for the Canada Central. He did not know what had become of these rails. Suppose that they wanted to ship goods by rail to this part of the country, they already had railways connecting with Sarnia, Collingwood, Goderich, Southampton and Kincardine, and every one of these harbours was far, far preferable to going to the North of French River, which any man acquainted with any of these lakes would say, as it was the worst harbour on Georgian Bay. It was full of rocks, and could not be

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made in the night. Vessels had to wait outside until daylight to enter. Besides, the country through which this road was to pass was rocky, and the rocks were not flat; they stood up on end, and this was the country which was to be opened up for colonization. He did not know what could be grown there, and he trusted the Government, if they had any money to spare (and he was sure that when they had deficits, they should not undertake any work of this kind) they should not spend it so that it would be of no use, as far as the interests of the country were concerned, for years to come. This expenditure could now be of no possible use, and, therefore, if they were to tax the people heavily, and collect the money of the people to build the Pacific Railway, let them construct what would be necessary for the use of the public first, and push on the road to Red River as fast as possible, thus forming a connecting link between Winnipeg and Lake Superior. If this was not done soon and the contract soon let, the work now in progress there would be very much damaged. The track was being laid there now, as he understood it, though he did not know whether it was being ballasted or not; and, under the present circumstances, he affirmed that, before this link was built, all the ties at both ends of it would be rotten, and then they would have to be renewed. Was it not horrible to see the money of the people wasted in this way? The people would hold the Premier responsible for this useless expenditure. The hon. gentleman would be in a few days before the people, and he would then have to answer for this extravagance and misappropriation of the people's money, which was diverted from the proper purposes for which was intended, as stated by the hon. gentleman himself to the electors of the county of Lambton. The hon. gentleman was spending the public money improperly. In 1874, when the hon. gentleman addressed the electors of Lambton, he said he would devote his services to the building of the Pacific Railway between Winnipeg and Lake Superior.

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

### After Recess.

MR. McCALLUM said he did not wish to detain the House, but he would ask the Government if they had really considered this matter, and had come to the conclusion that they were acting in the interests of the public by taking the power to expend this large amount of money, for which he (Mr. McCallum) believed they could get no adequate return? Would this expenditure be in the interests of the North-West, or in the interests of colonization? He could not account for this measure in any way, particularly the Georgian Bay Branch, except as the insane scheme of an insane Government, and if the Government persisted in carrying it out, all he could do was to raise his voice and vote against it.

MR. DYMOND said he wished to notice what seemed to him to be the remarkable position taken by the hon. members for Victoria and Cardwell on this question. The hon. member for Cardwell spoke as if this policy were something new, to which the country was not pledged as solemnly as it was to any part of the Pacific Railway scheme. If his hon. friend would look at the Act of 1874, he would find that the subsidized line which should connect with the Georgian Bay Branch was as clearly provided for as any other part of the Pacific Railway system. He observed also that his hon. friend found fault with one detail of the contract, that which provided for the payment of a subsidy when portions of the road were completed, and alluded to the Province of Ontario in that respect. He (Mr. Dymond) interrupted him in order to point out that the subsidies granted by Ontario formed an exceedingly small proportion of the whole cost of the road; but if the hon. gentleman would turn to the Ontario Railway Act of 1871-2, he would find that provision was made for the payment of a subsidy to any portion of such railway when completed. It was, therefore, unnecessary that the whole line should be constructed before entitling it to the assistance rendered by the Province of Ontario. He understood this proposition was intended to give to Quebec

all the direct advantages which could be given to her in return for her share of the burden of building the Pacific Railway.

MR. MASSON: That is mighty little, then.

MR. DYMOND said if Quebec was ungrateful, it could not be helped. He had heard the hon. member from Terrebonne praise the generous spirit evinced by the people of Ontario in regard to this particular measure.

MR. MASSON: I blame the Government, not the people of Ontario.

MR. DYMOND: The hon. gentleman is like the Irishman who landed in New York. No matter what measure was proposed, he was always "agin the Government." The Province of Quebec had not much to thank the hon. gentleman's predecessors for, even with regard to the Canadian Pacific Railway, of which some of them were so proud. Whatever important benefit other portions of the Dominion would derive from this line, every dollar spent on it would be expended to the advantage of Ontario. This measure had received the sanction of the Ontario Legislature, in so far as it had actually voted a subsidy to any line which would connect with the Georgian Bay Branch. Every dollar spent between French River and Pembroke would be spent in the interests of Ontario. Although Ontario bore a little more than her share of the burden, it must be remembered that the whole Pacific Railway scheme of uniting Lake Superior with the Red River was part of a Great Western Canada policy. Under these circumstances, it did not become any member from Ontario to complain either of subsidizing the Canada Central Railway or of building the Georgian Bay Branch, the construction of which he hailed with much pleasure.

MR. BORRON said the hon. member for Monck and others had expressed themselves in terms of such hostility in alluding to the Georgian Bay Branch of the Canadian Pacific Railway, that he felt compelled, in the interest of his constituents, and of what he regarded as the truth, to give a few facts in response to a good deal of

fiction that had been talked and written on this subject. From these facts, hon. gentlemen and the public would be able to draw their own conclusions. Comparisons had been made between Midland City and French River, and it had been asserted that the distance by rail from Montreal to Midland City was less than from Montreal to the mouth of French River—the one being 390 miles, and the other about 410 miles. It was inferred from this that so far as the traffic of our North-West Territories with all places eastward of the Georgian Bay was concerned, Midland City was a better point than French River. In consequence, however, of the proposed change in the terminus of the Georgian Bay Branch from near the mouth of French River to Cantin's Bay (some twenty miles higher up the River), the distance to Montreal would be reduced from 410 to 390 miles, making the length of railway from Midland City to Montreal, and from the proposed terminus on French River to Montreal, nearly the same. But they must bear in mind that the mouth of French River was from 100 to 120 miles nearer to Thunder Bay, Duluth and Chicago than Midland City, and that the saving of 100 miles of water navigation was itself, not to be despised, when they took into consideration the immensity of the traffic, and the keen competition there was to attain it. But they had to look beyond the facilities afforded by a combined water and railway communication, with the North-Western Territories. Every one knows or should know, that such a mixed communication was only available for about six months in the year, and that during the winter season, the only communication possible was by railway. He hardly thought there was an hon. member in this House so sanguine as to believe that the section of our Canadian Pacific Railway lying north of Lake Superior would be completed in less than twenty-five years. It will tax the whole energies of this Dominion to construct the railway from the head-quarters of Lake Superior to the Pacific Ocean, and it was impossible to predict when the intermediate section between the head of Lake Superior and Lake Nipissing could be finished. In the

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meantime, we would be dependent on other lines of communication passing to a greater or less extent through United States territory, and that for nearly six months of each year. He might be allowed to premise that railways were already projected from Sault St. Marie westward along the south shore of Lake Superior, to connect with the Northern Pacific, Duluth and St. Pauls, and other lines radiating from St. Pauls, and that a large grant of public lands had been given by the United States Government in aid of the construction of these lines, and they would, it was confidentially expected, be proceeded with immediately, and completed in a few years. Should this be so, and should the Canada Central Railway, and Georgian Bay Branch be extended to French River, as now projected, there could be no question whatever, that the only remaining link (180 miles in length, from French River to Sault St. Marie) required to complete a through winter communication by railway, from Halifax to Winnipeg, and the North-West would soon be completed. Let them compare this route with that presently available. The distance from Toronto to Fort Garry, in Manitoba, *via* Detroit, Chicago and Pembina was about 1,589 miles, and from Toronto to the same point *via* French River, Duluth and Pembina, only 1,296 miles, thus affecting a saving of not less than 293 miles in the distance. Again the distance from Montreal to Fort Garry *via* Detroit, Chicago and Pembina was about 1,922 miles, whereas the distance from Montreal to Fort Garry or Winnipeg *via* French River, Sault St. Marie, Duluth and Pembina, would not exceed 1,446 miles, or at least 479 miles of a saving in the distance; and consequently a proportionate saving in the time and the cost of transportation to and from our North-West Territories. Surely the people of Montreal and Quebec could not be so blind to their own interest or to the interest of the people of Manitoba, and the North West, as not to perceive the immense importance of the extension westward of the Canada Central Railway and Georgian Bay Branch, two most important links in this great chain of railway communication. Nor



was this all. The distance from Duluth *via* Sault St. Marie and French River to Montreal by rail, and thence to Liverpool by water as compared with that route by way of New York, showed a saving of 690 miles of railway and 270 miles of ocean transportation, or 960 miles in all. In view of the enormous traffic of the single State of Minnesota the produce of which in wheat alone was estimated, some years ago, at not less than twenty millions of bushels—the immense importation of this Georgian Bay route, as it was seemingly called, could hardly be over-estimated, whether from a Quebec or an Ontario point of view. It would, when completed, feed, so to speak, all the railroads both in Ontario and Quebec, which were fortunate enough to connect with it, and whose lines extended eastward and southward, for this route was destined to secure a large show of the grain and other traffic not only of Minnesota, but other important States of the Union,

MR. ROBINSON said by this Order-in-Council, running powers were given only to the Kingston and Pembroke road and to those roads which were supposed to have their exit north of the shores of Lake Huron. It seemed to him that all other roads running north, although not exactly to Lake Huron, should be included in the running powers given to the Kingston and Pembroke road. If this Georgian Bay Branch were constructed in the interests of a private company, this private company might have particular preferences, which they might indulge in the interests of the Kingston and Pembroke road. Why this company should be indulged in this matter and so many other roads thrown out, was a mystery. The Victoria road was a railway which, by the enterprise shown by its directors, and the assistance given to it by different municipalities and by the Ontario Government, was entitled to equal favour with the Kingston and Pembroke road. The sooner the present Ministry gave up their idea of associating one road entirely with the construction of the Georgian Bay Branch, the better it would be for the interest of the country and of Ontario. He did not agree

with what fell from the hon. member for Hamilton with regard to the deputation. That deputation was sent down quite as much in the interest of Hamilton as of Toronto. The City of Toronto should have an equal chance in any assistance given to the Province of Quebec, because Toronto had expended a large sum in the construction of railroads, and had shown an enterprise equal to that of any other city, and was entitled to equal justice. The people of Ontario would ask how it was that out of the funds of Ontario a road was constructed entirely in the interests of Lower Canada. He did not object that a fair proportion of the funds of Ontario should be distributed to promote the interest of Quebec, but, at the same time, Ontario had a claim to an equal share. He had heard the hon. member for Cumberland, in 1876, ask the hon. the Minister of Public Works whether it was his intention to give any encouragement to roads which were likely to extend themselves to connect with this Georgian Bay Branch. If the answer of the Minister of Public Works was correctly reported, he said it was. Why the hon. gentleman now changed his views, it was for him to explain. Only a short time ago it was predicted, realizing the construction of this road, that the day would come when the commerce of Manitoba would be taken over that road, and that the commerce of Toronto would thereby greatly benefit. The different municipalities, in this view, assembled together and subscribed \$10,000. These expectations seemed to be doomed to disappointment. He protested against the action of the Government, because it was contrary to the interests of Ontario and of the city of Toronto.

SIR JOHN A. MACDONALD said he did not rise to object to finishing this road and the new road at the terminus at the south-east corner of Lake Nipissing as proposed. He would be better satisfied that, instead of a portion of the public funds being diverted to a branch road of this kind, the whole available funds should have been expended on the great main line of the Pacific Railway. However,

that had been postponed by the Government for a very long period; meanwhile, there was great expense being occasioned to the country. The Province of Quebec, which sustained a portion of the burden of this road, and, according to the present plan, which gave that Province a western connection to the line, derived a very small degree of compensation for their contribution to the enormous expense incurred and to be incurred, and from which it would likely receive no immediate benefit except as a portion of the Dominion. He regretted extremely that this proposition had not been brought down earlier; it was not fair to bring it down at this late period. He called the attention of the hon. the Minister of Public Works, and of the hon. the Minister of Justice, to the points raised by the hon. members for Victoria and Frontenac. On these two points he was satisfied the Order-in-Council was contrary to the Statute. It would be doing a great injury to the Canada Central to grant them an Order-in-Council, any portion of which was contrary to Statute. It was right and just that all roads having connection with this branch line of the Pacific Railway should have running arrangements; that was merely what the law provided.

**MR. MACKENZIE:** It is running powers they want, not running arrangements.

**SIR JOHN A. MACDONALD:** Arrangements meant a matter of agreement. But the Statute provided that the Government could lay down conditions upon which all those railways that had connection with the branch line must submit to, before they could get running powers; but the Government had no power by the Statute to exclude any railroad having communication with the branch line. According to the Statute, no railroad was to have the exclusive privilege of these running powers, but they were all to have equal rights, and to be subject to the same conditions. The Government, therefore, had no right to exclude the Midland Railway. If the Government did this, the Midland Railway, or any railway connecting with the branch railway,

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by putting in force the Statute, could render this Order-in-Council nugatory. He would read the Statute, 14th Section, 37 Vic., Chapter 14:—

“The Governor in Council may also grant such bonus or bonuses, subsidy or subsidies to any company or companies, already incorporated or to be hereafter incorporated, not exceeding twelve thousand dollars per mile, as will secure the construction \* \* \* The granting of such bonuses or subsidies to be subject to such conditions for securing the running power and other rights over and with respect to the whole or any portion of the said branch railway, to the owners and lessees of the main line of said railway, or of any section thereof, or to the owners or lessees of any other railway connecting with the said branch railway.”

So that the owner or lessee of any railway connected with said branch shall have running powers as were given to any one railway, but must be subject to the same conditions, however onerous. He pointed out that there was a great difference between guaranteeing the interest and giving a mileage subsidy. The Order-in-Council should not be made a source of weakness and trouble to the Canada Central Railway, for whose benefit it was passed. Parliament had accepted the proposition of the Government, and it was desirable that, having been done, the points raised should be dealt with so that the railway company might be placed on a proper footing when it went into the market.

**MR. MACKENZIE** said that one hon. gentleman stated that \$109,000 had been lost under the previous Order-in-Council. That sum had been composed of \$11,000 paid for surveys on the Canada Central Railway, and \$68,000 for rails which were delivered and were now the property of the Government, and there was no actual loss, as, under this Order-in-Council, the value of these rails would be deducted from the first payment to be made by the company. The amount paid for surveys had been spent on what was supposed to be in the vicinity of the line, under the contract entered into by Mr. Foster. The money would have had to be spent if the Government and not the company had surveyed the country, so that there was no loss in that respect. One hon. gentleman had spoken of the matter as a

contract. It was not a contract, but simply a subsidy of so much per mile, on condition that so many miles were built. The contract was a matter between the company and their own contractors, though, of course, it would be the duty of the Government to see that a satisfactory contract was executed. He had a letter in his hand informing him that the company had entered into a contract with Mr. James Worthington, of Montreal, one of the best contractors in Canada, and one who had satisfactorily executed contracts with the Government. He (Mr. Mackenzie) did not yet know all the details of the contract, but he would, of course, see that it provided a road such as the Government could approve of. Other hon. gentlemen had complained that he had changed his opinion; but he wished, once for all, to say that in this, as in the whole Pacific Railway scheme, he could not pretend to act on technical matters of surveying and engineering, unless on the advice of the professional officers of the Government. The position that he should be held responsible for the opinions of his engineers was an absurd one. He read from Mr. Fleming's report on the Bonnechère route, and said that on these opinions he must unhesitatingly base his decisions and his recommendations to the Government. It was far more important that the railway should be built where circumstances were adapted to its construction, where technical skill said it should be built, than that the opinion of a layman, no matter what his position, should be carried out. He went on to show that the supposition that the road touched Lake Nipissing, in order to secure traffic by the lake was an error. The fact that it touched a point on the lake was merely incidental, for the lake was not of such a size or character that any commercial importance could be attached to communication with it. As to the question of running powers in the Order-in-Council, it simply meant that they should have the right of running trains over the road by arrangement with the Companies. In other words, trains from Montreal would be enabled to run over the road to the West. The general Railway

Act was not intended to confer such powers. It was quite evident that if they were to give running powers to every road touching this line, it would be impossible to work the road. The Victoria Railway and other roads which had been spoken of, touched the road at right angles, and were entirely differently situated from the others. There would be no difficulty in the Ontario lines carrying their traffic to the port with which they connected. With regard to the legal points which had been raised, as they had been brought up by eminent professional men, they were entitled to respect. But he did not think the wording of the clauses referred to would bear out the construction which these gentlemen had put upon them. He noticed that the Quebec members thought the arrangement was not fair to Quebec, while those from Ontario thought it would militate against Ontario. Under these circumstances he thought the Government might assume that they had found the golden mean. He did not deny for a moment—in fact he had stated it to the deputation who had waited upon him—that this road was intended as a short and rapid connection between the east and the west. That was the sole purpose of building it. He had pointed out that the Government had abundantly aided enterprises going through Ontario in former years, and that this was intended to connect the Valley of the Ottawa with what would be a great trans-continental line of railway when completed, though under existing circumstances it would be partly by railway and partly by water communication. It was possible that the views of the right hon. member for Kingston regarding the last clause but one might be correct. He did not think they were, but if so, the matter could be very easily put right by distributing the usual interest over a large amount of bonds. It would be an easy way of raising the money, for when the English capitalists knew that a certain amount of interest was certain a market would be created for those bonds. There was another way in which the matter might be managed, and that was—that the payments should be funded, and the bonus would disappear, and the interest take its place.

MR. WHITE (North Renfrew): Will these three years count from the time of ratifying the Order-in-Council.

MR. MACKENZIE: I hope that the road will be completed within that time.

MR. WHITE. Is that the limited time.

MR. MACKENZIE: Certainly.

MR. BOWELL: Why is the difference made between the former and present Order-in-Council as to the payment of 75 per cent on the rails delivered. The former provides that such rails shall be the property of the Government until used on the road, but in the latter no such condition exists.

MR. MACKENZIE: There is no particular reason for it that I am aware of. The rails will, as a matter of course, unless paid for, be the property of the Government until they are laid on the road; and no payment will be made, except on these conditions. There is just this difference between the wording of the two Orders-in-Council. The old one stated that 75 per cent. of the value thereof should be paid; and the present one states on the market value of the rails, meaning at the time when delivered.

MR. BOWELL said that the hon. gentleman's statement was not correct. There was a vast difference between the wording of the two Orders-in-Council. In order that no mistake should be made, he would read the two. The old Order-in-Council stated:—

“Payment will also be made on rails delivered at any point of the line to be constructed to the extent of seventy-five per cent. of the value thereof, such rails to become the property of the Government until they are laid on the road for use.”

And the new order said:—

“That payment of the subsidy should be made on the basis of 80 per cent. of the expenditure, the drawback of 20 per cent. to be added on the completion of every ten miles.”

If that 15 per cent. of the market value of the rails was to be paid at whatever point the rails might be laid down at; and they would remain the absolute and *bona fide* property, not of the Gov-

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ernment, but of the contractor; and would be subject to seizure under execution for any debt the contractor might owe to any person.

MR. MACKENZIE: Not if the Government had bonds on the rails delivered.

MR. BOWELL: No; but there is no stipulation here.

MR. MACKENZIE: But we can stipulate it ourselves.

MR. BOWELL: You must enter into a special agreement.

MR. MACKENZIE: Of course, we will. We take bonds every day for the delivery of material. Not only so, but to require to be the actual owners of the land or lessees of the land where such property is situated, and the same care will be taken in this as in other public works contracts.

MR. BOWELL said he had no doubt that some arrangement might be entered into to protect the country and Government, but the question was to ascertain why this change was made in the two Orders-in-Council.

MR. MACKENZIE: There is no reason at all.

MR. BOWELL said then it certainly should have been included in the new Order-in-Council for the protection of the country and Government, as well as in the old one. The hon. gentleman had complained of the criticisms of the hon. member for Charlevoix regarding the quality of the road. It was true that this road was not to be built by the Government as a Government road, and it was also true that the subsidy was to be given to the contractors who were able to build it, and that this subsidy would amount to \$12,000 a mile. There was no stipulation whatever made as to the quality of the road; and it was to be restricted no further than to be subject to such grades as might be approved by the Chief Engineer, but beyond this there was no stipulation whatever. They all knew that a road might be built that would cost very little more than the subsidy given, particularly if the grade was not very heavy; while, on the other hand, a road might cost from \$20,000 to \$25,000

and \$30,000 or \$40,000 a mile. This was the point to which he thought the hon. member for Charlevoix called the attention of the Government. In an Order in-Council of this kind subsidizing a road to the amount of \$12,000 a mile, some stipulation should be made as to the character of the road which was to be built. He understood the First Minister to say that Mr. Hazlewood traversed that section of the country, when there was no smoke as well as when there was smoke. The hon. member for Terrebonne had called attention to the fact that Mr. Fleming's report stated the fact that he was unable even to walk over the road on account of the fires which were then raging in that section of the country; and hence he could not report as to the feasibility of the road. If the First Minister's statement was correct, this was the first time that the House or the country had found out the fact. The House, he thought, would have been a little amused at the apparent innocence and the innocent simplicity that characterised the First Minister in reading a letter from the company, stating that they had entered into a contract with Mr. Worthington. He believed that it was generally known throughout the country, and among the members when the Bill was being passed through Committee, that this whole arrangement was made, and that the union between the two roads was effected in order that the company would be able to give it to the very contractors whose names were freely mentioned. To the House and country he believed it was well known that the matter was pre-arranged before this question came up at all; and when this question of the Georgian Bay Branch and the extension of the Canada Central was brought before the House in 1875, it was then considered of such prominence that time could not be taken in order to have the contract properly surveyed to form some kind of basis for the construction of the road. It had, however, been allowed to remain in abeyance since the failure of Mr. Foster to complete the contract until the present time, and strange to say—it might be very improper to even insinuate that there was anything wrong

about its coming up at this time—but it was somewhat singular that it had just dawned upon the Ministry and those interested in that section of the country before the elections came on—that this matter should be taken up and brought not only before the House and country, but particularly before that section of Lower Canada, which would be most interested in the construction of this road by the change of route, and before the North-West constituencies, which were affected by it. This was all to be done on the very eve of the election. Let them hope for that section of the country that this was not what this policy would tend to, and that the road might be completed within the time specified. He was somewhat amused, and he thought the House also, at the remarks of the hon. member for North York, in reference not to the amendment, because to his mind the hon. gentleman astutely avoided discussing the question before the House. The hon. gentleman had given rightly enough as he understood, the laws of Ontario, which granted as subsidy in aid to these roads, whether of colonization or to open up other sections of the country, a certain sum which was to be paid on the completion of every 20 mile section, but the hon. gentleman forgot to tell the House, and this bore particularly on the question now before the House, that there was a provision in this law for running powers over all roads that received Governmental aid. This was one of the stipulations and conditions on which those roads received subsidies from the Ontario Government, and the other roads crossing or running parallel or diagonal were compelled to give running powers over them, and this was all that his hon. friend from North Victoria asked for now in the interest of the western roads and those roads which were now being built in the interior of Ontario, which were colonization roads—many of them were exclusively so—and which would connect with the Canada Central and the Georgian Bay Branch, if it was ever constructed, though he believed it would prove to be utterly useless. The same rights and privileges should be extended to these roads

as to those which were specially mentioned in the Order-in-Council. This was the point which they had now to decide, and he thought it was one which the Government, in the interest of the western roads, of the western peninsula, and of the colonization roads, which had been largely subsidized by the Ontario Government, and built by private and municipal enterprise, should grant. These roads should all have the rights and privileges which were extended to the Pembroke road or to any other provided in this Order-in-Council. He would, when the time came, move an amendment in the direction of the manner in which these payments should be advanced upon the rails as they were delivered, in order, at least, that those who had watched the manner in which these subsidies had been paid, and the advantages that had been taken by railways, where Governments were not properly secured, might express their opinion. They saw plenty of it in Ontario, where subsidies were given: the law strictly complied with and the moneys drawn, and yet the work stopped; and they ought, if possible, to prevent the recurrence of acts of this kind in the future. It might be true, as the hon. gentleman had said, that Mr. J. Worthington was a very worthy and able man and a capitalist, and he would succeed in constructing the road, and they might never have any difficulty; but in the past he thought they all knew that contractors who were to-day apparently as solvent as Mr. Worthington and those with whom he was connected, proved, before the work was completed, like Mr. Foster, utterly unable to carry it out.

MR. GIBBS (South Ontario) contended that the Ontario Railway Companies should have running powers over lines subsidized by the Government.

MR. MACKENZIE said he wished to point out to the hon. member for North Hastings, that he would find that the previous Order-in-Council made it imperative to pay 75 per cent. of the price of the rails; but they did not bind themselves in the present Order to pay any amount on the rails. The

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wording was "may advance," but they did not agree to do so absolutely.

MR. BOWELL: Surely the hon. gentleman would not pretend to say that, if the rails were delivered, he would not pay the money.

MR. MACKENZIE: That would depend on the circumstances altogether.

MR. BOWELL: I suppose it would.

MR. MACKENZIE said that the hon. member for South Ontario confounded the branch railway with the subsidized railway, and this led to the whole misapprehension. If the hon. gentleman and the hon. member for Kingston read the 14th and 15th sections carefully, they would find that they had both mistaken the terms, and had been applying to the subsidized railway what should be applied to the branch or Government railway proper, which did not belong to the Canada Central, but over which it had to run its trains.

Question put, and motion, in amendment, negatived on the following division:—

## YEAS:

## Messieurs

Baby,	McDonald (Cape Breton),
Benoit,	McDougall (Three Rivers),
Bolduc,	Macmillan,
Bourbeau,	McCallum,
Bowell,	McCarthy,
Bunster,	McQuade,
Cameron,	Méthot,
Campbell,	Monteith,
Caron,	Montplaisir,
Costigan,	Mousseau,
Cuthbert,	Orton,
Daoust,	Quimet,
Dewdney,	Pinsonneault,
Dugas,	Platt,
Farrow,	Robinson,
Ferguson,	Robitaille,
Flesher,	Rochester,
Gibbs (North Ontario),	Roy,
Gibbs (South Ontario),	Ryan,
Gill,	Short,
Harwood,	Stephenson,
Hurteau,	Thompson (Cariboo),
Jones (South Leeds),	Tupper,
Kirkpatrick,	Wade,
Langevin,	Wallace (S. Norfolk),
Lanthier,	White (E. Hastings)—54.
Little,	
Macdonald (Kingston),	

## NAYS:

## Messieurs

Archibald,	Huntington,
Aylmer,	Jetté,
Bain,	Jones (Halifax),
Barthe,	Kerr,
Bécharé,	Kirk,

Feraier,	Lafamme,
Bertram,	Landerkin,
Biggar,	Langlois,
Blackburn,	Laurier,
Borden,	Macdonald (Cornwall)
Borron,	MacDonnell,
Bourassa,	Macdougall (E. Elgin),
Bowman,	McDougall (S. Renfrew),
Boyer,	MacKay (Cape Breton),
Buell,	Mackenzie,
Burk,	McGregor,
Burpee (St. John),	McIntyre,
Cartwright,	McNab,
Casey,	Metcalf,
Casgrain,	Mills,
Cheval,	Oliver,
Christie,	Paterson,
Church,	Perry,
Coffin,	Pettes,
Coupal,	Pickard,
Currier,	Power,
DeCosmos,	Ray,
De St. Georges,	Richard,
Dymond,	Ross (West Middlesex)
Ferris,	Rymal,
Fiset,	Scatcherd,
Fleming,	Shibley,
Flynn,	Sinclair,
Forbes,	Skinner,
Galbraith,	Smith (Peel),
Geoffrion,	Smith (Selkirk),
Gibson,	Smith (Westmoreland),
Gillies,	Snider,
Gillmor,	St. Jean,
Goudge,	Taschereau,
Greenway,	Thompson (Haldimand)
Hagar,	Trow,
Hall,	Wallace (Albert),
Higinbotham,	White (N. Renfrew)
Holton,	Wood,
Horton,	Young.—94.

MR. BOWELL said that the explanation given by the Premier with reference to the two clauses in the former and present Order-in-Council was not to his mind at all satisfactory, and he did not think that it was an explanation which would be accepted by the House. The provision in the former was that the rails should remain the property of the Government until laid on the road for use; but under the latter, there was no such restriction whatever. Seventy-five per cent. on the market value could be paid to the contractors; the rails would then be subject to seizure, and could be taken up and laid upon any other road. The First Minister said that they would take good care that this did not occur; and that they would not advance the money; but it must be clear to everyone that these rails would be purchased on the strength of this Order-in-Council. If this was not the object of this Order-in-Council, there would be no object of making this provision for 75 per cent. of the cash to be paid. The contractors

could go to England, exhibit the Order-in-Council and obtain from the manufacturers hundreds or thousands of tons of iron or steel rails, and hypothecate the amount coming from the Government, which would be accepted by the manufacturers as security for delivery, and to say that the Government might pay upon them being delivered on the road, simply because the Order-in-Council said it might, was taking a position which he thought that no Government in any country should take advantage of. In order that this might be prevented, he moved:—

“That the following be added to the said motion:—‘That in ratifying the said Order-in-Council this House desires to express its opinion that no payment should be made to the Canada Central Railway Company on account of the subsidy for the construction of a Railway to connect with the Eastern Terminus of the Canada Pacific Railway or the Georgian Bay Branch thereof, upon rails delivered to the extent of 75 per cent. of the market value thereof, except upon rails delivered at some point of the line to be constructed, and upon condition that such rails do become the property of the Government, until they are laid on the road for use.’”

MR. MACKENZIE said he had already stated that no payments would, as a matter of course, be made without abundantly securing the Government on such rails as would be paid. Under the resolution, it would be impossible to get this Order-in-Council adopted at all. This was a motion that could not be amended. It was an agreement between the Company and the Government, subject to the approval of the House, for which he was now moving, and the hon. gentleman's resolution was, in fact, against the approval, by the House, of this Order-in-Council.

MR. TUPPER said the hon. gentleman stated that he would not be bound, under this Order-in-Council, to make any advances upon these rails, except by taking the most ample security that the rails should be the property of the Government until appropriated. That being the case, there could be no objection to the amendment instructing the Government to pursue the course which the hon. the First Minister indicated would be pursued. That would not contravene the Order-in-Council, but

would strengthen the hands of the Government. Under the former Order-in-Council, which was much more stringent than this, the Government had made advances of \$68,000 on a pile of rails, and the party, who, under that Order-in-Council, had parted with his right to control them, came and modestly requested the loan of a hundred tons, and the Government were not strong enough to say "no," nor to prevent that gentleman from coming back and taking away 127 tons more, without saying "by your leave." Under these circumstances it was desirable to pass this resolution and give the Government a little more backbone.

MR. WHITE said he did not wish to interfere with the ratification of an Order-in-Council, but considering the fact that under the former Order-in-Council the Government had lost 227 tons of rails, he would support the amendment.

Question *put*, and motion in amendment *negatived* on the following division:—

## YEAS:

## Messieurs

Baby,	McDonald (Cape Breton)
Benoit,	McDougall (Three Rivers),
Bolduc,	Macmillan,
Bourbeau,	McCallum,
Bowell,	McCarthy,
Cameron,	McQuade,
Campbell,	Méhot,
Caron,	Monteith,
Costigan,	Montplaisir,
Cuthbert,	Mousseau,
Daoust,	Ouimet,
Dewdney,	Pinsonneault,
Dugas,	Platt,
Farrow,	Plumb,
Ferguson,	Robinson,
Flesher,	Robitaille,
Gibbs (North Ontario),	Rochester,
Gibbs (South Ontario),	Roy,
Gill,	Ryan,
Harwood,	Stephenson,
Hurteau,	Thompson (Cariboo),
Jones (South Leeds),	Tupper,
Kirkpatrick,	Wallace (S. Norfolk)
Langevin,	White (East Hastings),
Lanthier,	White (North Renfrew)
Little,	Wright (Pontiac).—53.
Macdonald (Kingston),	

## NAYS:

## Messieurs

Archibald,	Horton,
Aylmer,	Huntington,
Bain,	Jetté,
Barthe,	Jones (Halifax),
Bécharde,	Kerr,

MR. TUPPER.

Bernier,	Kirk,
Bertram,	Lafamme,
Biggar,	Landerkin,
Blackburn,	Langlois,
Blain,	Laurier,
Borden,	Macdonald (Cornwall)
Borron,	MacDonnell,
Bourassa,	Macdougall (East Elgin)
Bowman,	McDougall (S. Renfrew)
Boyer,	MacKay (Cape Breton),
Buell,	Mackenzie,
Bunster,	McGregor,
Burk,	McIntyre,
Burpee (St. John),	McNab,
Burpee (Sunbury),	Metcalfe,
Cartwright,	Mills,
Casey,	Oliver,
Casgrain,	Paterson,
Cheval,	Perry,
Christie,	Pettes,
Church,	Pickard,
Coffin,	Power,
Coupal,	Ray,
Currier,	Richard,
DeCosmos,	Ross (West Middlesex),
De St. Georges,	Rymal,
Dymond,	Scatcherd
Ferris,	Scrivner,
Fiset,	Shibley,
Fleming,	Sinclair,
Flynn,	Skinner,
Forbes,	Smith (Peel),
Galbraith,	Smith (Selkirk),
Geoffrion,	Smith (Westmoreland)
Gibson,	Snider,
Gillies,	St. Jean,
Gillmor,	Taschereau,
Goudge,	Thompson (Haldimand),
Greenway,	Trow,
Hagar,	Wallace (Albert),
Hall,	Wood,
Higinbotham,	Wright (Ottawa Co.),
Holton,	Young.—96.

Question *put* and motion (Mr. Mackenzie) *agreed to* on the following division:—

## YEAS:

## Messieurs

Archibald,	Horton,
Aylmer,	Huntington.
Baby,	Jetté,
Bain,	Jones (Halifax),
Barthe,	Kerr,
Bécharde,	Kirk,
Benoit,	Kirkpatrick,
Bernier,	Lafamme,
Bertram,	Landerkin,
Biggar,	Langevin,
Blackburn,	Langlois,
Blain,	Lanthier,
Borden,	Laurier,
Borron,	Macdonald (Cornwall),
Bourassa,	MacDonnell,
Bourbeau,	Macdougall (East Elgin)
Bowman,	MacKay (Cape Breton),
Boyer,	Mackenzie,
Brown,	McGregor,
Buell,	McIntyre,
Bunster,	McNab,
Burk,	Metcalfe,
Burpee (St. John),	Méhot,
Burpee (Sunbury)	Mills,
Caron,	Montplaisir,



Cartwright,	Oliver,
Casey	Paterson,
Casgrain,	Perry,
Cheval,	Pettes,
Christie,	Pickard,
Church,	Power,
Coffin,	Ray,
Coupal,	Richard,
Currier,	Robitaille
Daoust,	Rochester,
DeCosmos,	Ross (West Middlesex),
Desjardins,	Rymal,
De St. Georges,	Scatcherd,
Dewdney,	Scrifer,
Dymond,	Shibley,
Ferris,	Sinclair,
Fiset,	Skinner,
Fleming,	Smith (Peel)
Flesher,	Smith (Selkirk),
Flynn,	Smith (Westmoreland),
Forbes,	Snider,
Galbraith,	Stephenson,
Geoffrion,	St. Jean.
Gibson,	Taschereau,
Gill,	Thompson (Haldimand),
Gillies,	Trow,
Gillmor,	Wallace (Albert),
Goudge,	White (Renfrew),
Greenway,	Wood,
Hagar,	Wright, (Ottawa),
Hall,	Wright, (Pontiac),
Higinbotham,	Young.—115.
Holton,	

## NAYS :

## Messieurs

Bowell,	McCallum,
Cameron,	McCarthy,
Campbell,	McQuade,
Costigan,	Monteith,
Cuthbert,	Mousseau,
Dugas,	Ouimet,
Farrow,	Platt,
Ferguson,	Plumb,
Gibbs (North Ontario),	Robinson,
Gibbs (South Ontario),	Roy,
Harwood,	Ryan,
Hurteau,	Thompson (Cariboo),
Jones (Leeds),	Wade,
McDonald (Cape Breton),	Wallace (Norfolk),
McDougall (S. Renfrew),	White (Hastings).—32.
Macmillan,	

## THE GOVERNMENT FINANCIAL POLICY.

MR. CARTWRIGHT moved, that Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply.

MR. MCCARTHY moved in amendment:—

“That the Speaker not do now leave the Chair, but that it be resolved, That the House regrets that in the face of annual deficits during the period in which the present Administration have been in power, amounting to \$3,360,812.72, as appears from the Public Accounts, the annual expenditure has not been curtailed so as to confine it within the Revenue, and instead of practically adopting a policy of retrenchment, the Government

have expended more in each of the years 1874-75, 1875-6 and 1876-77, than the largest amount ever expended prior to the year 1874-75.”

He said it was not necessary at this late period that he should support his motion by any lengthy arguments. The financial question had been discussed a very great deal throughout the Session, and in public, sufficient, at all events, to enable an intelligent vote to be obtained on it. Although the question had been discussed, there had not yet been any opportunity to record a vote upon it and he desired, late as it was, to give hon. gentlemen an opportunity to express an opinion on what he considered the very unfortunate position in which the Government was placed. During the period the late Government was in power there were surpluses amounting in all to nearly twelve million dollars. During the period this Administration had been in office, there had been but one surplus, and there had been deficits amounting to \$3,360,812 without taking into account the item of \$343,581, placed in suspense account, probably for the very purpose of preventing a deficit being larger than what it unfortunately was. He had not thought proper to add that to the acknowledged deficit because it might give rise to a discussion on a question of mere book-keeping, which it would be well to avoid. He merely referred to it for the purpose of clearing himself from being thought to submit that this \$3,360,000 was the total amount of the deficits created under this Administration. It would have been more prudent in view of these deficits to keep the expenditure at the lowest possible limit, nevertheless the expenditure had been greater during these three years mentioned in the resolution than it had been before. There had been a great dispute as to who was responsible for the expenditure of 1873-4, of which year the late Administration was in power for four months and the present Administration for eight months. The late Government could not be held responsible for the expenditure of that year; they could only be held responsible for the estimates introduced by them the previous year. During the Session of

1874, the present Finance Minister brought down estimates which were not rendered necessary by the legislation during the period of the late Administration, nor by any of the Public Works to which this country was bound to carry out by the policy of the late Administration. He did not desire to introduce that item of discussion. He, for the sake of argument, started with the expenditure of that year, which was the largest to that time since Confederation. The expenditure in 1874-5 was \$396,640, over 1873-4; in the following year it rose to the extent of \$1,172,050 over 1873-4, and last year the expenditure was \$202,985 over that year. So that during these three years, with a falling revenue, with the country in the most depressed state, they had had an expenditure in excess of 1873-74 by the enormous sum of \$1,771,794; or an average expenditure in excess during each of these three years of \$590,598. He thought this called for an expression of opinion from this House. When they found that, in the last year, the excess of expenditure was only \$202,985 over 1873-74, it was impossible to excuse the enormous expenditure of the two preceding years—one more than a million and the other \$400,000 more than the expenditure of 1873-4.

Mr. PLUMB said that no doubt the amount estimated by Mr. Tilley in the last year during which the late Government held office was properly chargeable to that Administration, and Mr. Tilley had also acknowledged that the legislation of 1873 would involve a considerable addition to the expenditure of the year. But the members of the present Opposition declined to assume the responsibility for items which were placed in the Supplementary Estimates of March, 1874, which Mr. Tilley had not the power to revise, and which were placed there without his consent or concurrence. If they did not belong to the expenditure of 1873-4, they must be charged upon the expenditure of the present Administration. They amounted to somewhat over a million dollars, and should be added to the year 1874-5. If that were done, a deficit would be shown in that year, besides a

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large increase in the expenditure. The Finance Minister had stated in addressing public audiences, not only that the present Government had not exceeded the expenditure of 1873-4, but that the comparative small expenditure of 1872-3 of about \$19,000,000 was really larger than the sum expended by the present Government on their Estimates of the year. The Finance Minister had based his arguments upon the Estimates for the current year, but that was a fallacy almost at the last day of the Session, when there was no opportunity to intelligently examine the items. The House was asked to vote an additional sum of \$848,000 for this year, chargeable to revenue, making the expenditure for this year, \$24,226,000; while the largest amount that was proposed under the late Government was the expenditure of 1873, \$23,300,000, and they claimed that at least \$1,000,000 should be deducted from that. The Finance Minister had also founded an argument on the ground that the expenditure was so much less per capita. He actually took credit to himself for the increase of the population. That was the style of the hon. gentleman's argument. It could be shown that everywhere the Administration had been conspicuous for its extravagant and reckless expenditure. When the late Government estimated certain amounts as required for the public service, they did so upon a full Treasury. They were at that time justified in a little expenditure, but Mr. Tilley would never have allowed the expenditure to grow until it was uncontrollable, with a falling revenue, and with the deficits which had been aggregating every year since this Government came into power. Mr. Tilley, in 1873, stated that he anticipated a deficit in the following year, and that when the time came he would deal with it by recasting the tariff.

Mr. MacKAY (Cape Breton): Mr. Speaker, I draw your attention to the fact that there is not a quorum present.

Mr. BOWELL: We could soon make one.

MR. MACKENZIE: Even if not, I hope no hon. member would take that course. We want to do some business to-night.

SIR JOHN A. MACDONALD: I have heard an hon. member ask that the House should be counted out, in order to defeat a measure to which he was opposed, but why the hon. gentleman should try to upset the Ministry which he supports, I do not see.

MR. SPEAKER: There is a quorum.

MR. PLUMB said the Opposition were ready to accept the challenge thrown down as to the fiscal policy of the two Governments. The First Minister had once said that nothing was more easy and more proper than to meet a deficit, if one was impending, by proper retrenchment and economy. Where was the economy? Hon. gentlemen had met the deficit in the way that a reckless, extravagant bankrupt met his deficits, by indulging in more expenditure. One would suppose, by the Estimates, that, instead of deficits accumulating year after year, we were in the highest state of prosperity. There had never been any indication of retrenchment on the part of the present Government. They had kept the word of promise to the ear, but had broken it to the hope in every direction. No one could now safely judge what the expenditure would be from the Estimates which were submitted. No one could say that economies would be carried out, because no one knew, as long as the device of Supplementary Estimates was resorted to, what the expenditure would be. The resolution which had been introduced by his hon. friend, was one which deserved the consideration of the House, and he hoped would receive its support. It was based upon principles which had been established by hon. gentlemen opposite, and if they voted against it they would stultify every promise they had made when out of power.

Question put and motion in amendment (Mr. McCarthy) *negatived* on the following division:—

## YEAS :

## Messieurs

Baby,	McDonald (Cape Breton),
Benoit,	Breton),
Bernier,	McDougall (Three Rivers),
Bolduc,	Macmillan,
Bourbeau,	McCallum,
Bowell,	McCarthy,
Cameron,	McQuade,
Campbell,	Méthot,
Caron,	Montplaisir,
Costigan,	Mousseau,
Currier,	Ouimet,
Cuthbert,	Pinsonneault,
Desjardins,	Platt,
Dewdney,	Plumb,
Farrow,	Robinson,
Ferguson,	Robitaille,
Gibbs (N. Ontario),	Roy,
Gibbs (S. Ontario),	Ryan,
Gill,	Stephenson,
Haggart,	Thompson (Cariboo),
Harwood,	Wade,
Hurteau,	Wallace (South Norfolk),
Jones (South Leeds),	White (East Hastings),
Kirkpatrick,	White (North Renfrew),
Laagevin,	Wright (Pontiac).—52
Lanthier,	
Little,	
Macdonald (Kingston),	

## NAYS :

## Messieurs

Appleby,	Jones (Halifax),
Archibald,	Kerr,
Aylmer,	Kirk,
Bain,	Langlois,
Béchar,	Laurier,
Bertram,	Macdonald (Cornwall),
Biggar,	MacDonnell,
Blackburn,	Macdougall (East Elgin),
Blake,	McDougall (South Renfrew),
Borden,	McKay (Cape Breton),
Borron,	Mackenzie,
Bowman,	McGregor,
Boyer,	McIntyre,
Brown,	McNab,
Buell,	Metcalfe,
Burk,	Mills,
Burpee (St. John),	Oliver,
Burpee (Sunbury),	Paterson,
Cartwright,	Perry,
Casey,	Pickard,
Casgrain,	Power,
Cheval,	Ray,
Christie,	Richard,
Church,	Ross (West Middlesex),
Coffin,	Rymal,
De St. Georges,	Scatcherd,
Dymond,	Scrifer,
Ferris,	Shibley,
Fiset,	Sinclair,
Fleming,	Skinner,
Flyan,	Smith (Peel),
Forbes,	Smith (Selkirk),
Galbraith,	Smith (Westmoreland),
Geoffrion,	Snider,
Gibson,	St. Jean,
Gillies,	Taschereau,
Gillmor,	Thompson, (Haldimand),
Goudge,	Trow,
Greenway,	Wallace (Albert),
Hagar,	Wood,
Higinbotham,	Young—86.
Holton,	
Horton,	
Huntington,	
Jetté,	

SUPPLY.

SUPPLEMENTARY ESTIMATES.

House again *resolved* itself into Committee of Supply.

(In the Committee.)

CIVIL GOVERNMENT.

270. Required to meet estimated expenditure for extra Clerks in the Department of Agriculture..... \$6,000 00

ADMINISTRATION OF JUSTICE.

271. To provide for sundry expenses in connection with the Maritime Court of Ontario, including Seals for the Court, Judges' travelling expenses, Court Books, &c..... 300 00

SIR JOHN A. MACDCFALD: This must be an error.

MR. CARTWRIGHT: I think it is. It seems to have been voted before.

MR. LAFLAMME: It is for the establishment of Courts not contemplated when the other similar vote was taken.

MR. KIRKPATRICK: These Surrogate Judges should be soon appointed at the principal towns on the lakes, as soon as navigation has opened.

MR. LAFLAMME: The matter is under immediate consideration, and it has been decided to place such Courts at the principal towns on the lakes.

MR. LANGEVIN: Then is this an additional sum?

MR. CARTWRIGHT: It is; at first sight I thought it was a mistake.

*Vote agreed to.*

PENITENTIARIES.

272. Staff—Increase to salary of Surgeon, Manitoba Penitentiary \$200 00

LEGISLATION.

273. To meet expenditure in connection with Senate Hansard.... 3,000 00

MILITIA.

274. Additional amount required for Drill Sheds and Rifle Ranges...10,000 00

MR. JONES: This is chiefly intended for St. John, N.B. The old barracks which were formerly used for

MR. PLUMB.

this purpose were burned down at the great fire, and it is hoped that this vote will be sufficient. The Drill Shed will be built on Government property.

*Vote agreed to.*

PUBLIC WORKS AND BUILDINGS CHARGEABLE TO CAPITAL.

275. Pacific Railway—  
Georgian Bay Branch.....\$100,000 00  
Between Lake Superior and Keewatin..... 300,000 00  

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\$400,000 00

MR. MACKENZIE: This \$300,000 is taken on the same principle as the \$500,000 for British Columbia. If we do not find contractors to take the entire contract across, as I explained the other evening, we will then have a contract ready at the next meeting of the House for the portion of the 180 miles still to be built between Fort William and Keewatin or Rat Portage. None of this will be expended until the contract is approved and sanctioned by Parliament. The \$100,000 is for the real and not the subsidized Canada Central Branch westward to the mouth of French River. This is not under contract. It was, but the contract of the late Mr. Foster was cancelled. Provision for the Canada Central is Statutory under the Order-in-Council recently adopted.

MR. KIRKPATRICK: Is any of this vote of \$300,000 for water communication?

MR. CARTWRIGHT: None is to be expended, except the contract is laid before the House. In point of fact, it cannot be expended until after next Session.

*Vote agreed to.*

PUBLIC WORKS AND BUILDINGS CHARGEABLE TO INCOME.

277. { Windsor Post Office and Custom House..... \$30,000.00  
{ Brantford Public Offices.. 25,000.00  

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\$55,000.00

MR. MACKENZIE said that, two years ago, he stated that the policy of the Government was to erect new buildings where they were required by the

growth of public business, and pointed out that there were large towns or cities, such as Windsor, Brantford, Guelph, St. Catharines and Belleville, in Ontario, which would have consideration in this respect, and he proposed to take one or two, each year, beginning with those where the largest amount of business was transacted. They commenced with Guelph, which was a very large collection district; and these two were taken as the next most important. The revenue collected at Windsor, two or three years ago, was about a million, though now less, still it was nearly three-fourths of a million. Altogether about 39 inland revenue and customs officers were employed there, besides weights and measures, and post office employees. In Brantford the post office revenue was the fifth largest in Ontario, and the customs collection for the last fiscal year was, he thought, \$125,000, and something over \$200,000 in excise. The population of Windsor was 7,000 or 8,000, and there was urgent need of this action.

MR. BOWELL said he wished to know whether steps had been taken to erect public buildings in Belleville. Application had been made, and the Minister of Public Works attention was called to vacant land affording the most eligible position in the town for this purpose. Their post-office revenue was quite as large as that of Brantford or other places.

MR. MACKENZIE: Nothing like it. He had taken no steps concerning the other matter, further than to make enquiry and request some parties to send him maps with some lots marked down, which he proposed to make some arrangements to secure, though not knowing the amount, he could not ask for a vote.

*Vote agreed to.*

278. Fredericton Public Offices.....	\$12,000
279. Sydney, C.B., Quarantine Hospital.....	2,000
280. Pickering Harbour.....	10,000

MR. MACKENZIE said that originally this harbour was maintained by local effort. It once was the property of the late John Hillyard Cameron, and was afterwards possessed by the

township and sold to another company. The township of Pickering had advanced a loan of \$20,000, and given a donation of \$13,000. Acting on the same principle that the Government had voted money in aid of the Oshawa and Whitby harbours, which were owned by private companies, they proposed this vote. He thought that \$80,000 altogether had been spent by private individuals and municipalities on Pickering harbour. This amount would complete and make it one of the best on the lake.

SIR JOHN A. MACDONALD: This is twice what was given the other harbours.

MR. MACKENZIE: Yes; but it is a much larger work, and a much larger sum has been spent on it by the municipalities than in the other cases. I have no detail of the income, but I think it does not pay.

MR. CAMERON said that this harbour belonged to one individual, who was incorporated as a company. This one stockholder was Mr. McLennan, who had obtained it from the municipality and spent some little money of his own upon it; but he got the property for next to nothing. He thought that Mr. McLellan had paid for it to the late Mr. Cameron, \$5,000, and had made a very good paying speculation out of it. This harbour was not one of great public utility. It was a purely private venture. This man had an elevator there, bought grain, and carried on his private business, but no one else used it, and if he had not very strong claims on the Administration for their support, both on his own account and that of his connections—for his son-in-law was a well-known person in Oshawa, whose political influence was found very serviceable against the present member for South Ontario, on a very critical occasion—he (Mr. Cameron) did not think this vote would appear in the Estimates. Oshawa and Whitby Harbours received \$5,000 each, he believed; and each belonged to a large town; but this was simply a place whence Mr. McLellan shipped grain, and bought it from the surrounding farmers in the township of Pickering. The Government could not say that it was used as a harbour

of refuge. Its position and inaccessibility rendered it useless for any such service. The Government had commenced a harbour of refuge at Cobourg, built one pier, and then refused further aid. This money might be much more usefully spent; \$10,000 would make of Cobourg a proper harbour of refuge, and be useful to the whole shipping on the lake, and it should not be spent in this little one-horse place, owned by one man, for his own purposes alone, and not a work of public utility, entitling it to this large sum out of the public Treasury. One could not help having a suspicion that there was an inducement on the part of the Government to give it. This very gentleman was brought down to give evidence to blacken Mr. Murdoch's character, and to endeavour to bolster up the position of the Government in that respect.

MR. MACKENZIE said the hon. gentleman was wrong in saying this gentleman was brought down to blacken Mr. Murdoch's character. He had no right to say that any person brought as a witness by the Government was brought to blacken anybody's character. A deputation from the neighbourhood came to him (Mr. Mackenzie) in the first place and represented that there were only a quarter million bushels of grain shipped from this place last year; that it was a work which never had paid, and which never was likely to pay, inasmuch as it could not be properly used as a harbour until more money had been expended on it. He (Mr. Mackenzie) found the municipality of Pickering had advanced \$32,000 within the last two years, and that it was a fair case to bring before the House to obtain a vote. He had only seen the gentleman a couple of times and was not aware whose son-in-law he was. No political influence or local influence was used with him in regard to this matter.

MR. KIRKPATRICK said when a vote of this kind was brought down, a report of the engineer should be presented, so that the House would be enabled to form a judgment on it, not only in respect to this harbour, but all other harbours. There should be some system by which this aid should be

granted. It should not be left altogether to the fancy of the Government as to what harbour should be assisted and what should not. The House did not know what this sum was for.

MR. MACKENZIE: It is to deepen the harbour.

MR. KIRKPATRICK said there was no report from the engineer stating what benefit the public would expect to get from the harbour, or of the amount of work to be done. There should be some statement to show that they had not got the money to make this improvement themselves. The hon. the First Minister should have ascertained the facts, and by this means he would be enabled to tell the House what had been the expense on the harbour and what had been the income.

MR. MACKENZIE said about \$80,000 had been expended on the harbour from first to last, \$33,000 were stated to have been given as a gift, and \$10,000 as a loan. He was also informed that all the revenue collected, and a great deal more besides, had been expended on it.

MR. GIBBS (South Ontario) said one did not like to say anything against a grant for his own particular constituency at any time. He had the honour of being interested in the Port Oshawa Harbour Company, which had paid from ten to fifteen per cent for a number of years past. He had placed his views on the grant of \$50,000 to it on the minutes of the harbour company. That amount had been granted in opposition to his wishes, and was not in accordance with the views expressed from time to time by the hon. the Premier when in Opposition. He (Mr. Gibbs) remembered most distinctly the hon. the Premier then entering a solemn protest against all grants of the kind for local works, when upon the shore of Lake Huron, some grants were made to harbour companies. In reference to this particular case it was correct that the municipality of Pickering had given \$13,000 in cash, and that this company had obtained their Bill last Session, whereby they asked borrowing powers, and endeavoured to obtain \$20,000 on their debentures for

MR. CAMERON.

an amount said to have been expended. They were unable to do so. The Township of Pickering came to their rescue, exchanged debentures, and thus aided them to a further sum of \$20,000, taking their debentures as a guarantee of payment. The Port Oshawa Company got \$5,000, the Port Darlington Company got \$5,000, and another company got \$5,000. Then this Pickering Harbour Company was receiving more than either of the three companies he had mentioned. It had been abandoned a few years ago, and was purchased from Mr. Hillyard Cameron, and the purchasers had expended considerable money upon it. Had the sum been \$5,000, the same as was voted to the other harbours, he would not have said one word. With reference to Whitby Harbour, he did not know that, since it became the possession of a private company, any Government aid had been granted to it. He was of opinion that it would be only fair to this company, and none of the other companies would have complained, if the same amount had been given to this company as to the others. However, the Government saw fit in their Estimates to give this company \$10,000, believing them to be in need of it. Was that amount to be given on account of expenditure on improvements already made, or in consideration of a further sum to be expended by them in addition to that granted by Parliament.

MR. MACKENZIE: This sum, if voted, would be expended under the direction of Mr. Kingsford.

MR. GIBBS: Without any corresponding sum on the part of the company?

MR. MACKENZIE: I made no such arrangement.

MR. McCALLUM said this harbour was what used to be called Frenchman's Bay, and was about eight miles from Windsor Harbour, where the Government had expended a large amount of money. Since Windsor Harbour went into the hands of a private company he was satisfied no money had been expended on it. He would ask the hon. the Minister of Public Works what depth of water he

expected to get there for this amount of \$10,000, and whether surveys had been made. He understood the hon. gentleman to say it would be one of the best harbours on the lake.

MR. MACKENZIE: I said in that neighbourhood.

MR. McCALLUM said he questioned whether \$10,000 would make it a harbour of refuge, or as good a harbour as Port Whitby. It was the old story of wasting public money on private property and local works, and by-and-by when it would be necessary to build harbours, there would be no money to do it, if we went on investing private works in this manner.

MR. BLAKE said it would be of interest to the Committee if the hon. member for South Ontario would give information as to the net revenue of this enterprise. It must be a matter of surprise to the Government that a corporation paying ten per cent. per annum should receive a public subsidy. Had the hon. member placed his view on record before the Government previous to the grant, it would have prevented Parliament from granting a sum to assist a corporation in such a prosperous condition. If the hon. gentleman would give anything like the same information with reference to this enterprise, the Government would withdraw their vote.

MR. GIBBS (South Ontario) said he knew nothing whatever of the affairs of this Company. He knew it was an enterprise entered upon by a young man, Mr. McLellan, who deserved credit for what he had done there. It had been a very considerable benefit to that section. With reference to the Oshawa Harbour Company, a dividend had been regularly declared since its construction, of ten to twelve per cent. per annum, and he (Mr. Gibbs) had placed on the minutes of the Company his views relative to the Government grant, which the Company could have sent to the Government, had they seen fit to do so. The Government could have made those enquiries if they had pleased. All he could say was that the \$5,000 were thrust upon it.

MR. BLAKE: I am sure that my hon. friend refused to take his share of it.

MR. CAMERON said it was to his knowledge that this Company proposed to borrow \$25,000 on the security of this harbour with a mortgage of certain private property at Ottawa, as collateral security. They represented the harbour was paying an income to afford ample security for the loan of the \$25,000. The Government should not give aid of this kind to a private enterprise without having officially before it on the records of the Department, thorough information as to the financial affairs of the company, and the character and position of the work they were going to make. The whole principle of affording aid to these private companies was wrong.

MR. McCALLUM said that the hon. member for South Bruce had stated that, of course, if the Oshawa Harbour Company made so much dividend, the Government would not give it any money. He (Mr. McCallum) did not see that the financial position of a company should be made a standard by which the Government should judge whether to give them a money grant or not, or that the Government should grant money to a company because it did not pay a dividend of ten per cent. It might be a better investment for the Dominion to expend \$20,000 in that harbour than \$5,000, because it was not known what amount of water could be got for \$5,000. If \$5,000 were sufficient to get a draught of water there so that vessels might have shelter in a storm, it was right enough. But if it took \$10,000, \$5,000 would not suit. The Government should know the draught of water they would obtain for the money now appropriated for that purpose.

MR. BOWELL said the statement of the hon. member for South Ontario had also been made by him on a similar vote last Session. The Government were taking out of the public revenue an additional sum in order to make that private property valuable, and to make it pay a good dividend to the individual stockholders. It must be evident that those grants were given for

a political purpose. Why should individuals receive a grant from Parliament to enhance the value of their own property? The law provided that every dollar raised by tolls upon shipping by Government should be extended in improving the harbours, while individual companies were not subject to such restrictions, but could pocket the money received from tolls.

MR. BLAKE said that while he quite agreed with the principle that wherever a harbour was the property of a private individual or corporation, before giving a grant to improve said property, there should be a strict scrutiny into its affairs, with a view to avoid occurrences such as that which the hon. member for South Ontario had so deeply regretted in private for the past two years, and in public for the first time to-night, still, the circumstances stated by the hon. the Minister of Public Works were tolerably good presumptive guarantee against the harbour being in a remunerative position. Rural municipalities were not very apt to be free with the money raised on their taxes. There were not many who would be willing to pay a bonus of \$13,000 towards a harbour which was a paying concern.

MR. CAMERON: There was no harbour.

MR. BLAKE: Then obviously the municipality must have been of opinion that the harbour would not at all have been constructed upon the individual credit of the parties, and that it would not pay, unless they were willing to grant that sum towards it. The hon. the First Minister would take care there would be no recurrence of this case mentioned by the hon. member for South Ontario, by, in the first place, reducing the vote, in accordance with his suggestion, to the same amount as that granted to other harbours, and, in the second place, by assuring the Committee that this reduced sum should not be paid until it was ascertained the harbour was not paying a revenue.

SIR JOHN A. MACDONALD said this was rather a strange state of affairs. Here the Government asked for \$10,000 for this Pickering harbour. Upon a simple statement



of facts which the Government ought to have known before asking for a farthing, they cut the amount down one-half. The hon. the Premier was asked on what ground he asked for this vote. Well, he said, there has been considerable expenditure there, he understood \$80,000. What evidence did the hon. gentleman lay before the House that it was \$80,000? He did not know, but he remembered, he knew positively, that \$33,000 had been expended. He asked this House to vote a sum of public money, and would not pay it the compliment of preparing the necessary information. The hon. gentleman did not know the depth of water required for that harbour; whether it would be a profitable or unprofitable work; all he knew was that Mr. McLellan was a very praiseworthy gentleman, that he bought this property from Mr. Hillyard Cameron for a song, and asked the Government to help him, and the Government gave twice as much as was given to any other harbour along that coast. Mr. McLellan was well known to be a strong political supporter of the hon. gentleman, and to be the son-in-law of a strong friend of his who was bought over in 1874, Dr. McGill. This transaction being exposed, the hon. gentleman was willing to cut it down to \$5,000, and that this should not be expended if the statements made on this side of the House prove to be at all well founded. This hon. gentleman was the careful guardian of the public Treasury; this hon. gentleman who came down here to ask for this vote, without even paying this House the respect of charging his memory with the facts relating to the case. It was, throughout, a most suspicious transaction, one which went far to justify any inference made as to the motives which prompted the Government in placing many of these sums in the Estimates.

MR. MACKENZIE said he had given accurate information. He had stated a sum of \$33,000 had been paid by the municipality, and another \$20,000 had been advanced as a loan by the municipality. The only thing he was uncertain about was whether the loan was \$23,000 or \$20,000, and the gift \$10,000 or \$13,000. He also told the

Committee that the company had expended, he believed, about \$15,000. He was uncertain what the previous expenditure by the municipality and other local authorities amounted to. His impression was the entire expenditure from local sources amounted to \$80,000.

MR. GIBBS: Did \$80,000 cover the expenditure before it came into the hands of the present proprietors as well as since?

MR. MACKENZIE. That was my impression, showing it was manifestly of local importance, or so much money would not have been expended on it.

MR. GIBBS: Well, Mr. Cameron spent \$30,000 on it and sold it for \$5,000.

MR. MACKENZIE said that was the greatest reason why the public should aid it. Another harbour the Government aided in a similar manner, was the Port Burton Company, which was voted \$7,500. This company was not able through their revenues to maintain the work, and Parliament came to their relief. In the Maritime Provinces, where there were few harbour corporations, the expenditure was almost entirely from the public purse. Nothing could be more legitimate than to aid those to the same extent as they aided themselves. He had had no communication of any sort to show that it was not a perfectly legitimate enterprise which ought to be aided by the Government. The hon. member for South Ontario (Mr. Gibbs) having represented that as far as he knew this harbour was not in a different position from others, he (Mr. Mackenzie) proposed to reduce the vote to \$5,000 with the understanding that the money should not be expended if he found that the money would in any way minister to private wants instead of serving public interests.

MR. MCCALLUM said he protested against making it the basis of assistance to harbours, whether they paid as a private speculation or not. The question was not whether this man made money or not, but what benefit the public derived from it.

*Vote agreed to.*

281. Matane Harbour .....	\$10,000 00
Chicoutimi Harbour (to pay St. Lawrence Tow Boat Company for money expended)..	4,151 65
282. Woodward's Cove, Grand Manan .....	2,500 00
Roche Bay Pier, Anderson's Hollow .....	3,000 00
Clifton Breakwater.....	1,000 00
283. Margaree, C.B.....	3,000 00
Lingan Breakwater.....	2,000 00
Port Hood Breakwater.....	10,000 00
Three Fathom Harbour....	3,000 00
284. Big Miminogash, P.E.I.....	4,000 00
Wood Island Breakwater...	4,000 00
285. Purchase of a dredge.....	15,000 00
286. Removing Rock, Victoria Harbour, B. C.....	8,000 00
287. To pay expenses of Survey of Coast in vicinity of Capes Tormentine and Traverse on Prince Edward Island and Mainland, and a suggested Railway connected between said Capes to Intercolonial and Prince Edward Island Railways, with a view to secure winter communication with the Island.....	5,000 00

## OCEAN AND RAILWAY SERVICE.

288. To provide for half year's Mail Subsidy between Halifax and Cork, if necessary..	19,770 84
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## INDIANS.

289. To purchase seed grain.....	\$2,000 00
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MR. MILLS said that this was for Indians in the North-West. They were settled, and were pressing for surveys of their reservation.

MR. PLUMB said that the cultivation experiment with the Chippewas, a very intelligent people in the State of New York, had proved unsuccessful.

MR. ROBITAILLE said he wished again to call attention to the destitute condition of the Indians in the Province of Quebec. They required seed grain. They were prevented fishing by the Government, and should certainly be assisted. The policy of the Government seemed to be to let them starve.

MR. MILLS said that the Government had merely to administer the provincial Indian funds.

MR. LANGEVIN said that the principle of aiding these Indians had been recognised.

Vote agreed to.

MR. MCCALLUM.

290. Further amount required in Manitoba and North-West	\$5,000.00
291. Further amount, British Columbia.....	12,000.00

In answer to Mr. DeCosmos,

MR. MILLS said that a great deal of difficulty had arisen between the the whites and Indians in British Columbia. It was stated that whites had settled on reservations, and in some cases obtaining leases and then patents; this had led to much ill-felling. Three Commissioners, on behalf of the Local and Dominion Governments, were appointed to examine into these grievances, but as the Province objected afterwards to three, on the ground of expense, Mr Sproat, the umpire, was appointed sole Commissioner, the privilege of appealing to a Judge of the Supreme Court being reserved to the Province in case this was thought desirable.

Vote agreed to.

## MISCELLANEOUS.

292 To meet expenses of the Ontario Boundary Commission .....	\$15,000
293 To meet expenditure estimated to be required to put in force the Act respecting the traffic in Intoxicating Liquors.....	5,000
294 To pay a gratuity to Mrs. Coffin, the widow of the late Lieutenant Colonel W. F. Coffin, Commissioner of Ordnance and Admiralty Lands.....	2,000

## COLLECTION OF REVENUES.

## Weights and Measures.

295 Amount required to provide for the carrying out of the Act in British Columbia .....	500
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## Public Works.

296 Towards building Telegraph Line from Victoria to Nanaimo, B.C.....	7,000
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## Dominion Lands.

297 {	Surveys—Amount required for Township Surveys, Saskatchewan	10,000
	Surveys Highways Manitoba.....	2,500
	Offices—To provide for rent, stationery, &c., for three new offices..	1,900

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Twenty minutes past  
Two o'clock.

HOUSE OF COMMONS.

Wednesday, 8th May, 1878.

The Speaker took the Chair at Two o'clock.

PRAYERS.

MANITOBA PUBLIC SCHOOLS BILL.—  
[BILL No. 78.]

(Mr. Mills.)

THIRD READING.

Bill read the third time and passed.

SUPPLY.

SUPPLEMENTARY ESTIMATES.

House again resolved itself into Committee of Supply.

(In the Committee.)

PUBLIC WORKS AND BUILDINGS CHARGEABLE TO CAPITAL.

256. Intercolonial Railway—Balance of appropriation for 1876-77 unexpended 30th September, 1877, and carried forward by Special Warrant on account of freight cars (Revote).....\$76,736 72

In answer to Mr. LANGEVIN,

MR. MACKENZIE said that in all 740 box cars were built; 300 by contract; 200 at Cobourg for \$520 each; and 100 at London for \$530 each; and 440 at the Government shops at Moncton, costing a shade less.

Vote agreed to.

257. Intercolonial Railway—Balance of appropriation for 1876-77 unexpended 30th September, 1877, and carried forward by Special Warrant on account of expenses before Supreme Court (Revote) ..... \$8,575 14

In answer to Mr. LANGEVIN,

MR. MACKENZIE said that the expenditure was chiefly made in connection with the Jones case at Halifax; another very important case, that of Berlinquet, Bertrand & Co., was argued before Judge Taschereau, of Quebec. The whole of these cases, some of which

had not yet come to trial, exceeded a million in value; but the judgment in the first and second cases practically controlled all the others.

Vote agreed to.

258. Intercolonial Railway — Amount awarded by arbitrators to Chipman estate for land taken for St. John Station..... \$33,000 00

MR. MACKENZIE said that this was for 5 4-10ths acres of land, situated in the immediate vicinity of St. John station, bought by the New Brunswick Government when it owned the railway. It was never paid for; this Government offered \$20,000 for it last year; offer declined; and arbitrators awarded \$24,000 in the interest from 1st January, 1872, which made the judgment \$33,000.

Vote agreed to.

259. Intercolonial Railway. Amount required for constructing conductors', cattle, and fish freight cars.....\$16,000

260. Intercolonial Railway. Amount required to complete the construction of railway..... 78,500

MR. MACKENZIE said that \$75,000 were taken in 1877 8 to complete the road. It was all spent, and further liabilities incurred as follows:—D. McDonald, on account of contract 10, \$10,000—admitted balance due, \$17,000; Murphy, \$10,000—admitted balance due, \$17,000; excess of expenditure on passenger cars and snow ploughs, \$15,797; balance due Fairhaven Manufacturing Company, \$9,133; due E. Jones, \$12,228; balance due McDonald on contract for ballasting, \$800; Murphy, for Restigouche Bridge, \$172.86, on which \$10,000 was paid Nelson & McGow, on contract 14, \$7,475; other claims, \$5,98.

Vote agreed to.

261. Prince Edward Island Railway. To pay Messrs. Schrieber & Burpee in full settlement of all claims in connection with their contract for building the railway \$4,551 86

In answer to Mr. LANGEVIN,

MR. MACKENZIE said that Mr. McGadney, who had been Traffic Superintendent of the Midland Railway, was,

and had been since the opening of the Prince Edward Railway, its Superintendent.

MR. MITCHELL said as he had been ill and absent from the House, he now desired to call the attention of the hon. the Postmaster-General to a letter he had received from a correspondent at St. John, complaining that the English mail, after delivery at Rimouski, though sent westward by special train, was despatched east on a freight train, occasioning serious delay. He hoped arrangements would be made to send this train east on a special.

MR. HUNTINGTON said he would certainly be very glad to meet the views of the hon. gentleman. He would enquire into the subject with every disposition to afford all possible facilities.

Vote agreed to.

262	{	Pacific Railway—Fort William to Sunshine Creek..	\$ 80,000
		Sunshine Creek to English River.....	288,000
		Rat Portage to Cross Lake..	373,000
		Cross Lake to Red River...	13,100
		Telegraph lines and roadway	9,800
		Fort Frances Lock.....	60,000

MR. BUNSTER said he regretted that no provision was made for the construction of the Esquimalt and Nanaimo Railway. Some years ago Government had passed a Bill to build this road, through the House; but the Senate had thrown it out, and the measure had never since been submitted to the Upper Chamber. Hence the intention of the Government was not to construct this line. This was unfair as it had been agreed to make it part and parcel of the Canadian Pacific Railway with Esquimalt as the terminus. The Premier had stated the other day that when they acceded to office they communicated with British Columbia, which accepted the Carnarvon terms. He averred that the Carnarvon terms had not been carried out in good faith by Canada, and that British Columbia was worth more to the Dominion many times that the cost of the railway. He was inclined to suspect that the Government were doing all they could to retard the construction of the railway, fearing that

MR. MACKENZIE.

if built it would carry away the people from the other Provinces to British Columbia, which was more favoured in soil and climate. The Esquimalt and Nanaimo Bill should be submitted to the Senate again, as the Government were now stronger in that body than when they had rejected the measure.

Vote agreed to.

263.	Carillon and Grenville Canal	
	—Land taken.....	\$459 57
264.	Lachine Canal—Further amount required to pay for enlargement.....	485,600 00
265.	Cornwall Canal—Further amount required to pay for enlargement.....	50,005 00
267.	Welland Canal—Further amount required to pay for enlargement....	138,500 00
268.	Rideau Canal—Draw-bridge... Ottawa Buildings—Unexpended balance of appropriation of 1876-7 for "Tower," carried forward 30th September, 1877, by Special Warrant (Revote).....	6,000 00 8,000 00
269	Unexpended balance of appropriation of 1876-7 for "Western Block Extension," carried forward 30th September, 1877, by Special Warrant (Revote).....	142,325 86

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

PACIFIC RAILWAY AMENDMENT BILL.

SENATE AMENDMENTS INSISTED ON.

MR. SPEAKER read a message from the Senate acquainting this House that the Senate doth insist on their amendments made to the Bill No. 52, to amend the Canadian Pacific Act, 1874, to which the House hath agreed, and giving their reasons.

SUPPLY—CONCURRENCE.

Resolution reported from Committee of Supply considered.

On Resolution 82, Pacific Railway, \$2,549,700,

MR. THOMPSON (Cariboo) said that he did not wish to enter into a long discussion of this matter. He merely wished to say that looking upon it from a British Columbia standpoint, he thought that the policy of

the Government with regard to carrying this road was not by any means satisfactory. They had had this work put off from year to year; and every year they were told by the Government that they expected to be in position to commence the railway next season. They were now told that the Government, if they had not adopted a route, had, at least, under serious consideration the adoption of a certain route; but in case this was done, it still involved a delay of almost another year, before the contracts, if any were intended to be awarded, would be let, and this could not be done before the meeting of the first Session of next Parliament. When the Carnarvon compromise was arrived at, between British Columbia and the Government of Canada, it was proposed that two millions annually should be spent on it; all they saw put down now was \$500,000, and even this could not be spent until after the next meeting of Parliament. He considered that the policy of the Government was not wise or far-seeing, as to their manner of carrying on this railroad. Detached portions of the road were now being built to the west of Lake Superior, between it and Red River, and other portions, at least one large portion of it, was still left broken in the centre of that chain. West of Red River they found that nothing had been done towards the Rocky Mountains, and now in British Columbia they were told that the Government had under consideration the scheme of commencing this road at Yale, and carrying it forward. He did not come here to advocate any particular route. He had always been willing that the route which should be recommended by the Engineers should be adopted as the route. At the same time he was satisfied, after reading these reports which had been made, that the selection of Burrard Inlet, as the terminus, could not be considered as wise. The First Minister, in giving extracts from the different reports made by Messrs. Smith and Fleming, and other Engineers, did not certainly give the report of an able gentleman of high experience, Admiral Horsey, whose report laid on the table, practically condemned Burrard

Inlet as fit for the terminus of this railway, the importance which it deserved. It was approximate to the American line, and, with regard to navigating through the islands, it certainly offered great disadvantages. However, they knew that this route would be cheaper than it would be to build the road to Bute Inlet, and eventually carry it to Vancouver Island, which would be necessary, he presumed, in case the Bute Inlet route was selected. The Premier had told them that this route would not be so favourable as the other, and in this opinion he fully agreed; and it would have been much more satisfactory if it would have been seen that this road could be carried to proper advantage. They were now opening up large mining areas, which required a great deal of machinery to work, and they had now on the way some two millions, at least, and probably three or four millions of dollars' worth of mills being sent up there this summer. The freight on each of these mills would not be less than \$10,000, and this was a very serious item for miners, who did not have large capital, and who have been struggling along for years in the hope that they would have a road by which they could get in machinery through the Province at a cheaper rate. He believed that the people of Cariboo were perfectly willing to accept forever what might be considered the best route, looking at it from all points of view, provided they saw that the Ministry was in earnest, and intended to go on with this undertaking; but he did not think that the people would believe that the Ministry was really in earnest in pushing it on quickly, when the Government now merely talked about commencing it at Yale, and this a year from the present time. He did not think that Yale could ever be considered a good point to start the road from. The navigation of the Fraser River was not the best in the world; and it was only open for nine months in the year. The expense of taking up rails to Yale would also be very considerable. If the Ministry should select the Burrard Inlet route, he certainly thought it would be desirable to commence the work at once at Burrard Inlet, or at least at Harrison

River, a point to which steamers could run at all seasons of the year except a very few days when the river might be blocked with ice; but above Harrison River were numerous rapids, and during winter navigation was there nearly always suspended, at least, for three months. He considered that British Columbia had made many sacrifices for which she had received no reward. In the first place, when they came into the Union, they had the privilege of retaining their own tariff until the railway was completed, or of accepting the Canadian, and they did the latter, though it was then somewhat lower than their own. But the Canadian tariff had since been raised again and again until they were now paying, in this regard, more than they were paying originally. He thought that the figures would bear him out when he said that British Columbia was now paying, at least, \$50,000 into the Treasury more than she would have done under the former tariff she had when she came into the Union. It had been raised for the purpose of building the Pacific Railway and of improving the canals and other matters. But what did they find? The Intercolonial Railway was completed, and the Welland and Lachine Canals, and the Fort Frances Locks; all these works were being done, but nothing whatever had been done with regard to British Columbia's interests, and they had only the faint shadow of a promise that, perhaps in another year, the Government might use this money towards building a portion of this road. One point, he thought, had been overlooked to a great extent by the people of the Dominion with reference to British Columbia. They imported, in proportion to their population, much more of foreign goods than any other Province of the Dominion, and the hon. member for Centre Toronto had reminded the House the other day that British Columbia imported less than she exported. Consequently they did not run in debt like the other Provinces were doing. They had no deficit; they were working and feeling their way cautiously and quietly, and, therefore, they were not placed at the heavy disadvantage of being obliged to provide

MR. THOMPSON.

for the deficit incurred by the other Provinces. The total imports of British Columbia last year were \$2,393,000, and of this a very large portion was imported from the United States, comprising articles which they could as well import from Canada, and which, if the railway was built, would afford splendid bargains for the Ontario manufacturers. There were imported into British Columbia last year manufactured goods in iron and steel no less than \$117,000 worth, 75 per cent. of which came from the United States; of India rubber goods, 93 per cent.; leather boots and shoes and other leather goods, 92½ per cent.; brooms and brushes, 83½ per cent.; carriages and carriage furniture, 87 per cent.; cabinetware and furniture, 97 per cent.; cordage, rope and twine, 95 per cent.; paper, 82 per cent., and stationery, 72 per cent., from the United States; all of which, if they had a railway might be furnished from Ontario. Cottons, woollens and hosiery were also imported to a very large extent, but the greater portion came, however, from Great Britain. He thought that if this road was completed, Canadian manufactures, which were now struggling along and competing with the United States, would find a very valuable market open not only in British Columbia but also in the whole North-West country, which would be traversed by the line all the way from Red River to the Pacific, and he thought that the people of British Columbia certainly were led to believe that the Government would carry this railway on with greater energy in the future than in the past. He did not see that their policy was such as could afford any satisfaction, and he only trusted that the people of this country would rise and showed that they were in earnest, and that any Government which remained in power must do so by carrying out the railway policy which alone could ever build up this country and make it great, united and prosperous.

MR. DECOSMOS said it was not his wish to inflict a speech on the House. It was a matter of necessity that compelled him to occupy its attention. The utterance of the First Minister in

respect to this railroad was one that the Canadian people of to-day and the Canadian people of the future would condemn. The utterance of the First Minister on this point was neither right nor wrong. It was one of the hon. gentleman's metaphysical efforts, and if he was allowed to say so without doing violence to Parliamentary usage, the hon. gentleman's utterance with respect to the Canadian Pacific Railway was a delusion and a snare. The hon. gentleman conveyed the idea to the House that it was his intention to adopt the Fraser River route. He did not believe that this was the hon. gentleman's intention, or that he intended to adopt any other route in British Columbia. He believed that this was one of the hon. gentleman's Machiavellian efforts to deceive the people of British Columbia, and at the same time to try and keep them within the Union, for fear they might take both the Federal and Provincial Governments of the country into their own hands.

MR. HOLTON: Hear, hear.

MR. DECOSMOS said he heard his hon. friend from Chateauguay, who was one of the original Annexationists, he believed, in the Province of Quebec, say "Hear, hear." He (Mr. DeCosmos) had never a particle of Annexationist blood in his veins; but he would make this remark, that unless the people of Canada were prepared to build this railway through that country, they had no other destiny on this side of the Continent, than to take the course of the hon. member for Chateauguay, when he signed that celebrated petition for annexation to the United States. Their whole frontier, from Manitoba all along the Eastern Provinces, and all along the great bend of the Intercolonial, was all tapped by the United States. They had no great back country, no great north country. They had the means of making a country, so far as a manufacturing country might go, but it was only in the great West that they had the backbone and body and the future soul of this north end of the Continent. If there was to be any such thing as a nation in this north end of the Continent, and such a thing

as an Anglo-Norman nation, as in Asia and Europe—there was the Russia-Northman nation—they must build this railway. It was railway or absorption into the United States; railway or dissolution. He was astonished at the stupidity of the Canadians in that they could support any Government in this country who were not bold enough to take the thing into their own hands and construct a railway across the continent. He was not, he would remark, making a set speech, but talking as if in private conversation. There was only one portion of this Dominion where they could make a great city, and that was in British Columbia, and this was, first, where this Administration had failed. With millions and tens of millions and thousands of millions around the Pacific Ocean, gathering and commencing with the population of Russia, North of China, floating down to the millions of China, and to the islands still unoccupied, there was an immense trade to be done there to-day and in the future. And what were our Canadian rulers doing? Nothing. The hon. the Minister of the Interior had taken in several icebergs, he believed, recently, near the North Pole, and expected Her Majesty to pass an Act through the Imperial Parliament in order that he might take these icebergs into his possession and utilize the drift, if there was any drift in the Pleocene period, or something of the sort. Speaking a little more seriously, he would say, that if they took the whole route from Livingstone to Edmonton, he was assured by the Commissioner of the Fur Trade branch of the Hudson Bay Company, that there was not 20 per cent. of the land there fit for cultivation. He was assured, on the other hand, by gentlemen belonging to the Hudson Bay Company, and their Commissioner also, that if they took a northern route, they could carry settlement from the borders of Manitoba into the Rocky Mountains, and carry this railway through the Rocky Mountains into British Columbia, and find as good a country as Germany was 1,000 years ago. They could also find on the Pacific a port where they could compete with the United States ports. He would repeat,

what he had previously told the House, that there were only three ports on the Pacific Ocean owned by the United States where a terminus could be made for a transcontinental railway—a terminus in the face of 1,000 millions of people such as the 800 millions as our terminus would front. The first point on the part of this Ministry, and of the engineers employed by it to have decided, should have been where this port should be; and when the port had been found, then to construct the railway. The indications given by the First Minister the other day were that this road would run by the Fraser Valley route, moving from the Dominion through a barren country down to Kamloops, through another barren country, and taking the trough called the Valley of the Thompson, and down through a gorge in the mountains and through another gorge, at last finding a small valley about forty miles this side of the Fraser River, where it would be possible for the hon. gentleman to go up and find a little way traffic, forty miles from the terminus at New Westminster. He had in his desk a copy of the North Pacific Railway Bill, and in it was reference to the running of a line north of the existing terminus at Tacoma. When they ran a line north of this terminus and reached Holmes Harbour, there would be nothing more easy than for these people or anybody else—and he knew the people who proposed to do it—to run a line towards the Fraser River and connect with the Pacific at Sumas, and by this means draw all the ocean navigation in sailing and steamships to that certain point; and thus build up one of the greatest cities that by any possible means could be built on the American continent. They would build it on Puget Sound, in Washington Territory, with the aid and assistance of the people, who, in his judgment, did not know how to build up this great nationality. The proper route for this railway to take was the Northern route, and by way of Bute Inlet. When they reached Johnson's Straits, they could there, if they wished, build the Constantinople of this continent, and a historical city that might live for ever; and be protected and have such a his-

tory in the coming future as even the Bosphorus and Constantinople possessed; and, to be still more practical, when it reached this point it could be crossed by a ferry. He was very sorry, and he regretted to say that the Premier had not brought down the papers with respect to this matter; and sorry to say, in addition, that the Premier had not brought down the correspondence asked for, and called for, and demanded by this House. The hon. gentleman had dared to keep back the correspondence between the Imperial, Provincial and Dominion Governments in this relation, and they were there to-day without the evidence they should have had in their possession to enable them to form a just conception of this subject. A remark was made the other day about ferries and bridges; but there was no earthly necessity whatever for any expenditure in order to connect the Bute Inlet route with Vancouver Island. Any hon. gentleman who had visited New York within the last 30 years, must know that there were upwards of a million people gathered around the shores of New York harbour; and when he wanted to go to Washington in winter, when the ice was floating down the river, he got on board a steamer and passed over to New Jersey. In their country, where they could connect Vancouver Island with British Columbia, no ice floated. Scarcely a frost was felt there, and we could pick pansies and daisies all the year round, and yet they heard here, over and over again, and read it in the Press, that they must have bridges at this point. There was no necessity for bridging there, and the moment they struck the centre of Vancouver Island, they struck a country full of iron and coal, the most accessible for settlement existing in their Province to-day. And yet this Ministry dared and professed to do what? To bring this railway by a route that would not only make the chief town on the North Pacific, on the American side, but also deprive Canada of the commercial advantages to which she was entitled. He would go further. A map had been prepared, and was in the possession of the Department of Public Works, which indicated and showed the character of the



land. It was prepared by the acting Chief Engineer to give information to this country; and why had not this map been brought down to the House and circulated through Parliament, and communicated to the Senate? There was a design in this, and this design he believed was not in the interests of this country. Whatever it might be, it might be to shelter the Chief Engineer. He had no confidence in the Chief Engineer of the Pacific Railway, but he had full and complete confidence in that lion-faced engineer, Marcus Smith, who knew more of the west side of the Dominion than any man on earth. He would repeat again that gentleman knew more of the western portion of this Dominion than any man on earth. If he (Mr. DeCosmos) were Premier of this Dominion, he would relieve himself of an engineer of whom he had stated on the floor of this House that he was more an author than an engineer; and he would take that man who was a thorough engineer, who had explored the country, and had written reports on it year after year, of which he believed the present reports before the House to be a garbled copy. He (Mr. DeCosmos) knew that reports existed to-day in the Department of Public Works which had never been produced before this House. This House was called on to cast a vote for the Pacific Railway, and yet did not get the necessary information. He felt ashamed to see that documents bearing upon one of the grandest undertakings of the country were kept back, in order to prevent hon. gentlemen from using them. Therefore, as far as he could gather, the great object of this Government was to delay the construction of the railway. The great point to be considered was, first, to find the port, then to go on with the work. The late Government found their port, the port of Esquimalt, through, he believed, the sound judgment of the hon. member for Charlevoix, was that there were other ports which could be selected, the ports of Alberni and Quatsino, of all of which the Government could take advantage, if it were willing to adopt the right route. His firm conviction was that this Government had no idea of building the railway. If he

recollected, the hon. the Premier, in a letter written to the convention at Toronto last February, stated they would not have attempted to do anything towards building the railway on our western coast, had it not been obligatory on them. In what way were they fulfilling this obligation? There had not been a day since 1870, when this trans-continental railway could not have been commenced on the Pacific coast. It could go on at this moment if the hon. gentleman desired it. British Columbia had contended for the immediate construction of the railway, but last year had made an arrangement with the Imperial Government to give this Government one year's delay. This year had passed, eighteen months had elapsed, and what had they done?

MR. MASSON: Nothing.

MR. DECOSMOS: Probably they did not wish to do anything. When that twelve months' time had been given the Government, it was intended that they would not merely define the route, but would commence the work this year, and yet it was held by the hon. the Premier that in order to commence any work we must wait until next Session of Parliament. Nothing in the shape of fulfilling the obligation on the part of this Government had been done, with the exception of an honest attempt, he believed, to build a portion by sending out rails to British Columbia. He would not occupy the time of the House any longer except to state on behalf of the people whom he had the honour to represent, and other members from British Columbia could put in their protest on behalf of the people they represented, that they wanted that railway commenced this year, and if any further surveys were necessary to be made, let them be made.

MR. DEWDNEY said at this very late period of the Session he did not intend to occupy the time of the House at a great length. Had the hon. member for Victoria not made his remarks, he doubted whether he would have entered into this discussion. He who had lived in the country for many years could appreciate the difficulties

which the hon. the Minister of Public Works had to contend with in order to obtain thorough information with regard to that country. He was glad to hear the hon. member for Charlevoix speak in such flattering terms of the Engineer of this road who had, almost from the very inception of this undertaking, shown a great deal of ability and foresight. As early as 1871, after the first surveys had been conducted, the Chief Engineer's idea was that the Yellowhead or Leather Pass should be adopted as far as the passes to the Rocky Mountains were concerned, and the succeeding surveys proved it was right. The three routes mentioned by the hon. the Premier, namely, the Northern route, the Fraser River route, the Bute Inlet route, had been so minutely described, that he proposed only to say a few words about them. The only information obtained with regard to the Northern route was from the reports of Mr. Selwyn, Mr. Smith and Mr. Hunter—information received through the Indians on Hudson Bay grounds. Mr. Smith gave no information with regard to this route, although he very strongly advocated it, and even went so far as to recommend that construction should commence on the Western route in connection with the Northern route. The Bute Inlet route seemed to have been discarded by Mr. Smith. He hardly referred to it; at any rate, he did not refer to that portion which would condemn it entirely, the portion between Tête Jaune Cache and Fort George. With regard to the Burrard Inlet route, which the Government proposed to adopt, he (Mr. Dewdney) had always favoured it, but as the hon. the Premier had gone very minutely into its merits, he did not propose to discuss it. There was one point to be mentioned in connection with its military aspects. Both military and naval testimony were unanimous in declaring that so long as we controlled the naval superiority in these waters, our commerce would not be interfered with. He held a report from an engineer, General Debray, who was sent to report on the San Juan question:—

“The fitness of this Island (San Juan) for a permanent fortification, or for a military

MR. DEWDNEY.

station of this kind, depends upon its relation to so much of our water frontier as lies along the Straits of Fuca, and its water communication with the Gulf of Georgia.

“This particular subject was, therefore, kept in mind while I was pursuing my general examination of the north-west coast. It directed the particular course of my inspections of those waters, and led me to extend my explorations as high up as Fraser River.

“I find nothing in the magnitude, form, or position of San Juan Island that will admit of the treatment for such a purpose, separate from general military considerations—those only with which I have anything to do—and I now proceed to give, as briefly as I can, the convictions that have arisen in my mind after mature reflection.

“Great Britain, by owning the whole of Vancouver Island, of which the southern shore bounds the Straits of Fuca on the north, possesses, just within its southern extremity, the admirable man-of-war harbour of Esquimalt, and she now occupies it as a naval station, having present there, at the time of my visit, one line-of-battle ship and four war steamers. This harbour has, in a high degree, every internal convenience, facility of ingress and egress at all times, and perfect defensibility, at a moderate cost, by fortifications, should such defence be considered necessary at future times.

“My first remark on these circumstances is, that, possessing Esquimalt harbour, the ownership of the San Juan Archipelago, or of that Island alone, is not necessary to Great Britain, for her own occupation, either for defensive or offensive purposes; because, while occupying Esquimalt Harbour, and enjoying naval superiority, she will command completely, so far as local position will enable her, the Straits of Fuca, and all other waters within Cape Flattery, including Puget Sound, Admiralty Archipelago. Without that naval superiority, all our commerce and communications therein will be interrupted, or exposed to the greatest hazards.

“With superiority afloat, she will need no fortifications in the Archipelago, in order to command the passages. The quiet and pleasant waters may be much resorted to by her cruisers, but the place of refreshment, rendezvous, and, if need be, of refuge, will, because there can be no better, be Esquimalt itself. Indeed, a fortified anchorage at San Juan Island, for instance, would not be essentially nearer, and would no better overlook our harbours of Dungeness, Port Discovery, Sequin Harbour, Admiralty Inlet, Puget Sound, etc., than that of Esquimalt.

“Neither does Great Britain need San Juan Island, nor any other Island in the group, for the purpose of defending by fortifications, her communications with the Gulf of Georgia.

“Such a system would demand numerous works to overlook the many navigable passages through the group, while the same

force that will be indispensable for other purposes, will be precisely the best description of force for this defence, and for interception of, and resistance to, expeditions from distant shores."

He would refer to one more matter in connection with this, namely, the point which had been made by the hon. member for Victoria, with reference to the terminus in the United States Territory. He stated that the line could be connected very easily with the line from Fraser River to Holt's Harbour, and that the American would take our commercial town from us. He (Mr. Dewdney) held a different opinion. One of his reasons in favour of this line was the ease with which it could be connected with the American system of railways in Washington Territory. Should the Northern Pacific Railway be built, the whole of the trans-continental trade would pass from our own port over our own line. It would also give us a harbour on our own territory. The hon. member for Victoria gave as a reason for advocating the Northern route, that it would assist the mines of Cariboo and Omineca. There was something in that, but he would inform the hon. member that there were also mines in that south-eastern country. He might enter into a discussion of the different harbours and answer some of the objections raised against Burrard Inlet, but as the hon. member for Victoria had not gone into this question, no doubt he deemed Burrard Inlet was easy of access and capable of doing the whole business.

MR. DECOSMOS said he believed Burrard Inlet was not a suitable harbour. The only harbours to be found capable to meet our requirements would be found in Vancouver's Island.

MR. DEWDNEY said the naval testimony was in favour of Burrard Inlet.

MR. DECOSMOS said some hon. gentlemen holding the same views as the member for Yale, had presented an address to Admiral De Horsey to influence him, but he had made a report as a disinterested officer of Her Majesty's Navy.

MR. DEWDNEY said he had read that report very carefully, and he could

only come to the conclusion that it was made on information received from the friends of the hon. member for Victoria, and also on information which Admiral De Horsey himself admitted he had received from Mr. Marcus Smith. Any one who looked at the maps would find that in one-twentieth of Burrard Inlet there was as much anchorage as in the whole of Esquimalt Harbour. The hon. member for Victoria would recollect when a boat leaving Esquimalt for the last time, just before she was burnt, in entering San Francisco, had to be towed out. That did not speak very highly for the harbour which the hon. gentleman had advocated for so many years.

MR. DECOSMOS said the bad machinery of the *Constitution* prevented her from moving round, and that was no charge against the harbour of Esquimalt.

MR. DEWDNEY said he had taken very great interest in the route of the railway through British Columbia, and he was glad to see that it was about to be adopted by the Government. He believed no further information could alter the determination they had come to. The only serious objection which had been made to this route was, that the Americans would take our commercial port from us, but he did not think there was much in that objection. He was rather disappointed that the Government had not taken authority to construct some portions of the railway in British Columbia this year. He had no doubt that the Premier was in receipt of requests from British Columbia to commence it at once, and he trusted that it would not turn out as foreshadowed by the hon. member for Victoria, that the Government did not mean business, and did not mean to construct the Pacific Railway for many years to come. He trusted the Government would take an early opportunity of calling for tenders, and that before this time next year, work would be commenced on the road.

MR. SMITH (Selkirk) said the hon. member for Victoria (Mr. DeCosmos) had stated that the Commissioner of the Hudson Bay Company, for the fur trade, thought that not one-

twentieth of the land between Fort Pelly or Livingston and Edmonton was fit for cultivation. He thought the hon. gentleman must have entirely misunderstood the Commissioner, who was not in the habit of making after-dinner speeches, and certainly could not have spoken in that sense. A very great portion, indeed, of the country between Livingston and Edmonton was well fitted for settlement—not one-twentieth, but nineteen-twentieths of it. At the same time, there was no doubt that in the more northern part of the continent, in the Peace River and Arthabaska region, there was much land well fitted for cultivation. He, as a member for Manitoba, representing the important city of Winnipeg and the county of Selkirk, had always been in favour of the road passing by the south of Manitoba; but, of course, it was looked upon in a Dominion point of view by the Government. He could only express his regret that the interests of the people of Manitoba could not be more closely considered in the matter. He had had several representations from his constituents, stating that they would have been very glad to have accepted the Bill of the hon. the Minister of the Interior, providing for colonization roads; and would then not have regretted the Pacific Railway going to the north of Lake Manitoba. Unfortunately, that Bill had not been carried into law. He trusted that next year that or some similar measure would be passed.

MR. DECOSMOS repeated his statement that, within the last fortnight, the Fur trade Commissioner of the Hudson Bay Company had informed him, and he knew it also through the acting Chief Engineer of the Pacific Railway, that there was not 20 per cent. of the land from Livingston to Edmonton fit for cultivation; while 60 or 100 miles farther north there was good land all along.

MR. SMITH (Selkirk) said that, from his own knowledge of the land, he was convinced there must have been some misunderstanding.

MR. BUNSTER objected to the suggestion of the Chief Engineer, that the building of the road might be postponed. He was astonished that a gen-

tleman who was supposed to be honourable, should have been telegraphed for from the old country, and should make a report for the concurrence of the Government, and that the Government did not dare to pronounce upon it themselves, but wanted to hear what Parliament would say. He (Mr. Bunster) knew full well that the route which the engineer seemed to incline to would never bring the commerce of the Pacific Coast to British Columbia. The Government had one good adviser in Marcus Smith, who not only understood engineering, but navigation, and who had travelled over the country in a canoe and overland during several seasons. Could any one think that his judgment was not superior to that of the Chief Engineer? British Columbia had not been appreciated when Canada first got hold of her, though she was becoming more appreciated, and her wealth and position were claiming the attention of the Canadian statesmen and people. The Government should select the best port, and not an ice-bound port, such as Yale would be. Twenty miles above New Westminster they could not have boats drawing more than 20 inches of water, or sometimes not more than 10 inches of water.

MR. McINNIS: Four feet.

MR. BUNSTER said the only proper route was that by way of Bute Inlet. That had been surveyed by Mr. Waddington, an English engineer who lost his life in this city of Ottawa, when he came here in the interests of his adopted country, British Columbia, and gave the late Government a great deal of information. If the route went by way of Bute Inlet, it would be nearer to the coal mines, and that was an important question. On the Chilicotin Plains there was scarcely any fuel, and in a few years the fuel on the Fraser River would be all consumed by the Indians. Admiral De Horsey had pronounced fairly and squarely in favour of Bute Inlet and against Burrard Inlet. He knew that other Admirals were interested in giving a different opinion. He had been the agent for Admiral Cochrane in purchasing land. These other officers were interested and that interfered with

MR. SMITH.

their judgment. Admiral De Horsey simply wanted to do justice to the Government in reference to the best route. Mr. Sandford Fleming said :—

“ I have great faith in the future of a country favoured with a bountiful supply of the natural elements of prosperity. The capabilities of the Territories of the Dominion, on the Pacific Coast, are great. Vancouver Island alone is capable of supporting, by the industries which may be established, a large population.”

Remark the contradiction. This gentleman stated, in the former instance, that a railway in Vancouver Island was not necessary, and then said that this Island was capable of supporting, by industries that might be established, a large population. “ This result might not be obtained for years.” Of course it would not if the Government deprived British Columbia of her rights, which, however, she would yet get. He would read further :

“ When the Island becomes fully inhabited, an independent railway system, which, by that time, might be created within its limits, it may then, with comparative financial ease, be connected with the main land by way of Bute Inlet, as necessity may dictate.”

He wished to point out the injustice done to the Island. Ever since Confederation and the late Government were in power, 20 miles of land, by request of Canada, were reserved on each side of the road by the British Columbia Government in good faith. But had faith been kept by the Government of Canada? No. The population was being driven away from the Island to the American shore and the main land, when it would have settled on the Island if this land was available; and, if sold, this land would pay for more than two such railroads. If British Columbia could assert her rights fairly in a proper court she could, to-day, get against the Dominion a large claim for the way in which the settlement of that country had been retarded by Canada. Twenty miles on each side of the route were still reserved, and the Premier had said that he did not for a moment consider this a part of the bargain; nevertheless, this reserve was not lifted, and good British sub-

jects who came there had to leave their shores and go to the American side and the mainland in consequence of this fact. This was one great injustice. Again the line between Esquimalt and Nanaimo should have been built. They exported, last year, 450,000 tons of coal, and a penny a ton would have paid the interest on this investment. The Government had already had the line surveyed and the rails were landed, but unused, while they had plenty of ties adjacent to the road. With a very little more expenditure it could to-day be put in running order. The Engineer-in-Chief reported—this gentleman, he would observe, used “ if ” very often and made no positive report :—

“ If we abandon the idea of extending the Railway to Vancouver Island, and fall back on Waddington Harbour, we would have for a terminus a point not favoured by the principal naval authorities, and partaking of the geographical objections of Burrard Inlet.”

If the road was brought by way of Bute Inlet, there would be no occasion for any branch, and it would open up a portion of the Dominion that would more than pay for itself, by the increased amount that would be received at the Custom House. The Dominion now received from this source over \$500,000 a year, and if this road were built, British Columbia would so contribute over a million annually, and more as the population increased, but here people had no confidence in the commencement of this road by this Government, and they were saying: “ I do not know, but it would have been better if we never had joined the Union.” This was the real feeling in British Columbia. He thought the time was not far distant when the people of Canada would pronounce their verdict and say to the Government “ You must carry out your bargain with British Columbia; we feel proud of her.” A few days ago the former knew nothing of the latter; but now the feeling outside of the House, and in the Press, was more favourable towards that Province than it had been. The Union and Central Pacific Railway had been constructed in about three years and nine months while the American civil war was

raging. When California and the Pacific Coast people announced their intention to build a road across the continent they were laughed at by those who considered themselves the older and wiser heads of the Eastern States who said, "No; this could not be done; money to do it could not be found;" and yet a couple of young Englishmen went to England, negotiated the lands, and made a fortune out of it; and the road was built. He pointed out how the railroad engines had driven the wolves and the wild beasts before them, and had now accomplished the task of driving them out of the country and civilizing the Indians, which previously had cost the United States Government millions of dollars. He also contrasted travelling in the palace car which the tourist now enjoyed with the exposure and hardships endured by the early pioneers in their open waggons when entering the country, many of whom lost their lives in the attempt when attacked by Indians; while Indians to-day were completely civilized by the fertilizing and christianizing agency of the steam engine. This enterprise, a few years previously, had been considered impossible by some would-be cautious statesmen, who, to-day, hailed it as the pride of the American continent. It had robbed Canada of 500,000 of her native born subject, just merely for the lack of enterprise of her would-be-nations-makers. The present nation-makers had the ball at their feet and did not roll it. In fact, they had been tried and found wanting, as would be shown by the verdict of the people at the next general elections. He had enough confidence in the people of Canada to believe that they would yet carry out the broken terms of Union with British Columbia, the Province before which every other Province of this great Dominion would fade into insignificance. How easy it would be, with a little combined action on the part of this great Dominion, to build this road according to the terms of Union. He would ask any Canadian statesman, whether he did not think it was his bounden duty to see this contract carried out; and if he would not, and did

not consider \$500,000 a paltry sum to put in the Estimates for this purpose, and a shame and injustice to British Columbia. There was really no pronounced opinion as to where the road was to be built, and not a sod had been turned. They had been in the Confederation since 1870, and it was in the terms of Union that the work of construction would be commenced within two years; and yet nothing further had been done than to send a few rails out there; and, if a bonus had been offered to a British Columbian Company, they could have made these rails cheaper, because they had all the material in ore and coal. If the Government did not want so to encourage British Columbia, it was his opinion that this should be done. He would, however, bide his time, and see what the Government was going to do, which he did not think would be very much, until after the elections were over. The elections were troubling the Government more now than anything else, and a great deal more than the Pacific Railway. He hoped that whoever would occupy the Ministerial Benches next year would push on this road with greater vigour than had been the case in the past by the Government; and, therefore, he would rest his claim on behalf of British Columbia on the people of Canada, by insisting that whoever was returned at the next elections to govern this country, should be pledged to carrying this great national enterprise to an immediate completion.

MR. McINNES said that the hon. member for Vancouver had stated with respect to the navigation from Fraser River to Yale, that there was only about twenty inches of water in the stream. He could assure hon. gentleman that this was not the fact. At the lowest stage the depth of the water there was from four to five feet. Vessels passed over this route twice a week; and in proof of this he would remark that these boats carried from 75 to 125 tons of freight. The senior member for Victoria had commented on the course adopted and the views expressed by the First Minister, with respect to the location of the line down the Valley of the Fraser, and

stated that posterity would blame the hon. gentleman for it, and considered that the hon. gentleman had taken a wrong step and one not in the interests of the Province or of the Dominion generally. He thought that, on the contrary, that if the Ministry had adopted any other course than the Fraser Valley route, they would not only have acted contrary to the true interests of British Columbia, but also of the Dominion; and not only contrary to the true interests of the people of the present age, but also against the true interests of posterity. The Burrard Inlet route, he claimed, was the only one which would ever open up the great mining, grazing and agricultural districts of British Columbia, and the only one that would terminate at a really good harbour. Notwithstanding all that had been claimed for the Esquimalt and some other ports, he unhesitatingly said that Burrard Inlet was the best harbour of British Columbia.

MR. DECOSMOS: Not according to Admiral De Horsey.

MR. MCINNES said that Admiral De Horsey reported on the harbour from a military point of view. This was a harbour which was completely landlocked, and it was sufficiently large to accommodate all the shipping of the Empire. It was also easy of access by day or by night, and at all seasons of the year; and it could be approached without encountering any fog which was very prevalent at certain seasons in approaching Waddington Harbour, which was proposed as the terminus for the Bute Inlet route. The hon. member for Vancouver has said that they were anxious to have the Bute Inlet route adopted, and the terminus taken to Esquimalt to enable parties who bought there to make a little money out of it. This was the true secret of the hon. gentleman's advocacy of this route, and this was also the case with regard to many others who would entirely ignore the interests of the Province and sacrifice the interests of the Province and Dominion to further their own selfish purposes.

MR. DECOSMOS: No.

MR. MCINNES: I say yes.

MR. SPEAKER: The hon. member is wrong in attributing an improper motive to any member for his course in the House.

MR. BUNSTER stated that gentlemen had come to their shores, bought land and invested money on the faith of the Dominion Government building this railroad. He did not say they wanted to make money out of it.

MR. MCINNES said this proved the correctness of the statement he made. These persons thought that the terminus would be placed at a certain point, and that the value of their property would be enhanced by the building of this road. The hon. member for Vancouver had stated that Mr. Smith, whom the hon. gentleman lauded very highly, and no doubt the gentleman was entitled to it to a great extent—knew more than any other man of that portion of this country. He did not doubt that Mr. Smith was a good engineer; but he was wholly in the wrong respecting the agricultural capabilities of the district which he (Mr. McInnes) had the honor to represent. His statement was calculated to injure not only the district he represented, but the Province, and it was not in accordance with the facts. The people there grow good wheat. He had had the honour of attending the district agricultural fair at this point last year, and out of 22 or 23 loaves of bread placed in competition for the first prize, he found that, notwithstanding that the best flour which could be brought from Oregon and California had been used, the flour made from wheat raised in the district won the prize. He would mention, as another proof of what he said, that four years ago, at the general election of 1874, they had only 405 voters on their list, while to-day they had 857. New Westminster was not a mining district, but a lumbering and farming district. Seven-tenths of those who had come in there within the last four years were farmers, from Ontario principally, but also from the Maritime Provinces, and he need scarcely mention that these farmers knew what a good agricultural district was. He trusted that, in view of the difference in the distance, this route being 25

miles shorter than the route to Esquimalt, and the fact that it would cost twenty millions less, besides the inconvenience of a 15 mile ferry, this work would be maintained. Not only so, but the annual maintenance of this road would be \$570,000 less than the Bute Inlet and Esquimalt route. He thought these were sufficient reasons in themselves to convince not only the Ministry, but every member of the House, that this was the only true and practicable route for this road in British Columbia. If the other was chosen, \$570,000 a year would be thrown away, to a great extent, and this would amount in 56 years to more than the entire sum which the whole road would cost. He trusted that the Government, as they had selected the Burrard Inlet route, would lose no time in calling for tenders and putting the road under contract. They were not so particular in British Columbia. Speaking for the greater number of the people, he believed, whether a couple of millions or three-fourths of a million were spent annually, on the road, for the first two or three years, or not, what they wanted was to have done away with this state of uncertainty in which they had been kept in this regard during the last four or five years. Capitalists had been afraid to go into the country and invest money, for the simple reason that they did not know which route would be selected, and, consequently, they might make a grievous mistake. If the route was selected, the road placed under contract, and construction commenced, every enterprise in the country would be stimulated, new industries would spring into existence, and the Province would launch out on a new tide of prosperity, that would increase with the lapse of time, and in this prosperity it would be impossible for the Dominion generally not to share in a great degree. If the Dominion would not be benefitted directly, she certainly would be indirectly, from this enterprise, and he would, therefore, urge on the Government, as it had decided the route, to call for tenders as early as possible, and put the road under contract.

*Resolution agreed to.*

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

**Mr. McINNES.**

## After Recess.

On Resolution 184, for the expenses of Government in the North-West Territories, \$17,000.

MR. LANGEVIN said he wished to call the attention of hon. gentlemen opposite to the action of the Government in the North-West Territories. When the organization of Government took place in Manitoba, the hon. gentlemen opposite found fault with the Government of the right hon. member for Kingston, for the manner in which that was organized. They accused the late Government of having acted without proper consideration of the wants of the Provinces, without having consulted its people, and of having sent up a ready-made Government. The hon. the First Minister said, in his speech at Kingston, of the 27th June, speaking of the right hon. member for Kingston:

“ He sent out Mr. Wm. Macdougall with a ready-made Cabinet to take possession, as if they had been the conquerors of the land, without asking the people what their opinions were as to the mode or nature of the authority under which they were to be placed.”

This was the opinion of the hon. the First Minister, and also of the hon. the Minister of the Interior. Before going further, he would state he did not admit the justice of this criticism. The late Government did not send a ready-made Government to the North-West. They sent a Governor and two officers, who were, in connection with other gentlemen, taken from that region, and who had the confidence of the people, to form a Cabinet. It was natural that the hon. gentleman, in order to make a strong case before the electors of Ontario should have used the words already quoted; but, at all events, the hon. gentleman, after having found fault with the action of the late Government, should have done better. Let us see how the hon. gentleman and his Government acted towards that country. They appointed, as Lieutenant-Governor, the Hon. Mr. Laird, one of their friends, who had been formerly Minister of the Interior, and had dealt with matters connected with the North-West, and whom they had a right, therefore, to send there. But whom did they select



as members of the Executive Council of that Territory? Colonel Macleod was appointed at the head of the police and also Stipendiary Magistrate. Colonel Macleod did not possess the confidence of the people.

**MR. MILLS:** Who were they? Indians?

**MR. LANGEVIN:** Indians and Half-breeds were people. He wondered would the hon. gentleman feel as he did, were he in Manitoba amongst those people. They were not to be despised though they were Indians. Mr. Matthew Ryan, a lawyer from Montreal, was also appointed Stipendiary Magistrate, and was made also a member of the Executive Council; the next was Mr. Richardson. How were the officers selected for this territory? Mr. Scott, a gentleman from this part of the country, was appointed registrar; Hon. Mr. St. John of Toronto was appointed sheriff; Mr Dixon was sent there as an accountant and inspector; Captain McDonald was sent as Indian agent. This was the Government which had sent there, to use the language of the hon. the First Minister, "a ready-made cabinet to take possession, as if they had been conquerors of the land." The people, not very unnaturally, objected to being presented with this ready-made cabinet. The hon. gentleman could not say that in the Territories or in Manitoba, they could not find a few members of the people who could help in governing that country and who would have the confidence of the half-breeds. But what people had they to govern? Indians? There were Indians and a great many half-breeds and white men as well. These people had been cast aside. The Government said: "We will send a ready-made cabinet; we despise these people and will govern them as we choose." His Excellency the Governor-General formed a very different opinion of these people, and he would refer the hon. the Premier and his colleagues to the remarks of His Excellency concerning those half-breeds. They were a sensitive, proud race, and should not have been deprived of their share in the government of the country. He remembered the time when his race

was excluded from the government of the country, when none but people imported from the old country had a right to sit in the Councils of the Government of the Province, and he could imagine the feelings of those half-breeds of the North-West when they saw that none but people from Ontario or Montreal or the Lower Provinces were to have office in their Government. These people had no representative in this House, and it was left to some one to see whether they should be left in that position, or whether they should have their share in the offices and in the Government in that territory. A deputation of half-breeds had lately called on the Lieutenant-Governor of the Province to claim representation in the councils of their country, and he hoped, since the attention of the Government had been called to this matter openly before Parliament, that they would recognize the justice of the claims.

**MR. MILLS** said the hon. gentleman had made a somewhat extraordinary speech. The hon. gentleman might not have considered the effect which his speech would have on the minds of the people of the North-West. The circumstances were wholly different which governed the action of the late Government and of the present one. The country which Mr. Laird and the other gentlemen were sent to govern, had very few inhabitants, except Indians. But the right hon. member for Kingston sent his Government to a country in which there were several thousand white people, a people from whom rulers had already been chosen, and who had formerly a council and a Government of their own. What was the position in the North-West? Did the hon. gentleman pretend to say that the half-breeds were an educated population, who appointed their chief the same as the Indians did, who followed the buffalo from place to place, and had no fixed habitation? That was the impression the hon. gentleman seemed to wish to create. Yet he must know, if he gave any attention to the condition of things in that country, that the half-breed population, with the single exception of the few who resided in the vicinity of

Prince Albert, were, in no respect, different in their modes and conditions of life from the Indians. Mr. Richardson was a member of the Bar, and had occupied a prominent position in the office of the Minister of Justice before he was appointed Stipendiary Magistrate. Did the hon. gentleman say that there were persons residing in the North-West Territories amongst the half-breed population, qualified to take Mr. Richardson's place and administer criminal law, and decide questions relating to civil rights and property? Leaving out of view the Indians and half-breeds, there was a large population, wholly civilized, who had gone there during past years from every Province in the Dominion. In the North-West Act of 1875, this Government did what their predecessors did not do; they provided that every thousand civilized settlers should have the privilege of electing a member to this Council. The hon. gentleman stated that Mr. Laird had been sent out as a ready-made Governor, and he compared him to that distinguished colleague of his own who paid him such flattering compliments on the floor of this House.

MR. LANGEVIN: Never mind that.

MR. MILLS: Who, when he returned, was declared by the hon. gentleman and his colleagues to have been appointed to office under the Crown, and to have, therefore, forfeited his seat. That hon. gentleman stated at the time that his appointment was prospective, that he had never received compensation, that he had been kicked out to make room for the hon. member for Charlevoix as Minister of Public Works, and claimed, therefore, to be entitled to his seat. He kept his seat during the remainder of that Session, and drew his salary the next Session. The following summer he presented himself to his constituents, and failing to be re-elected, he claimed his salary from the 1st December until the 20th May, when Mr. Archibald was appointed Governor. This hon. gentleman received \$3,500 salary as Governor before the territory was transferred. Although he had never entered the country except during eight days of the period, he drew his salary as

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Representative of the Crown, and during the whole Session, drew his salary as representative of the people. This was a sample of the successful management of affairs in that country by the late Government. The object of the present Government in that territory had been to incur as little expense as possible. On the Council were Messrs. Ryan and Richardson, who were Stipendiary Magistrates and *ex-officio* members. Except those, the only members appointed to the Council was Mr. Breland, who was well qualified to discharge the duties, from his intimate acquaintance with the territory. The Government had only power to appoint one more, and if they had half-a-dozen half-breeds on the Council, he did not think they would be more ably represented than by Mr. Breland. There was no analogy between the state of things in the Province of Manitoba, where there was a large fixed population, and that in the North-West Territory.

MR. TUPPER said one would imagine, after listening to the Minister of the Interior making a laboured attack upon an ex-Minister of the Crown, who was not here to defend himself, that they were at the opening of the Session instead of its last hours. He thought the hon. gentleman had rather forgotten the position he occupied, and the dignity which belonged to it, when he wasted the time of the House in making that attack upon a gentleman, whose chief crime, in the estimation of hon. gentlemen opposite, was that, having been brought up in the old Liberal Reform school, he had not adhered so closely to gentlemen now on the Ministerial benches as, perhaps, they would have liked. The Minister of the Interior, however, ought not to forget that at the time when a coalition was formed in this country, and the great leader of the Reform party was called upon to select one of his friends as a colleague, he selected the Hon. Mr. Macdougall and took him into the Cabinet, which was to secure the union of the Provinces. The services of that gentleman and the ability he had evinced ought to protect him from attacks such as they had listened to from a Minister of the Crown. This little

discussion would, at all events, serve to remind hon. gentlemen opposite how much easier it was to criticize than to discharge the duties which sometimes devolved upon Governments. When the late Government were called upon to deal with the new question of a Government for Manitoba, hon. gentlemen opposite said that question was not dealt with as successfully as the light of subsequent events would lead any party to deal with it. But the First Minister was not quite accurate when he stated that a ready made Government had been sent out for the Government of Manitoba. If the hon. gentleman would refresh his memory by reference to the Act under which that Government was formed, he would find that only a smaller portion of that Government were sent from this part of the country with instructions to select the ablest men there to form a Government for Manitoba. He thought hon. gentlemen opposite might have reduced to practice some of the precepts with which they had favoured the late Government in relation to this matter. He, therefore, thought the compliments of his hon. friend from Charlevoix (Mr. Langevin) were well founded. The Minister of the Interior would lead them to imagine there were nothing but Indians in the North-West. That was not the case. A large settlement had been formed at Battleford before the Lieutenant-Governor went out, and he had no doubt some parties could have been found for the Council if the Government had not wished to use all the positions at their disposal. The hon. gentleman had stated that the people of the North-West would not have been willing to accept the Hon. Mr. McKay as Lieutenant-Governor. Why not? There was not a man in the North-West who had not been taught to respect Mr. McKay for the indomitable energy and ability he had shown on every occasion. He had attained a position, so high, so important, and so influential, that the late Government, and he believed the present Government, on more than one occasion, had sought and obtained his services in difficult and delicate negotiations. If Mr. McKay was eligible why was Mr. Breland eligible? He

believed that if hon. gentleman had been disposed to reduce their principles to practice, if they had not been pressed by persons in the Cabinet and outside of it for all the positions of honour, emolument and distinction, which they had to offer as rewards for past political services, they would have found some means of carrying out the precept which they had so generously offered to their predecessors, whom it was their duty to criticize. He did not think it came with a good grace from the hon. gentleman to state that the speech of his hon. friend would be a disturbing speech, calculated to do mischief elsewhere. The hon. gentleman knew that the attention of the people themselves had been drawn to this question. He had no doubt that some of them had an old copy of the *Globe* newspaper, in which the most incendiary language was used, which did immense mischief in Manitoba at the time. He had no doubt they wondered why they had not the same right now as then, and why those rights had not been respected in the same way by the party represented by that paper now, when they had the opportunity of reducing their principles to practice. They had held meetings, and addressed strong remonstrances to the Government on that matter; and it was idle to say that the subject should not be referred to in Parliament. The painful experience which had been acquired in Manitoba ought not to be lost sight of in dealing with questions of a similar character.

Mr. BLAKE said the House would recollect that the function the Government was called upon to discharge in appointing the Council of the North-West Territories was limited by Parliament. The Government was responsible for the introduction of the Act, but there was no dissent from it as far as he recollected. Parliament provided that the Council should consist of five with the Lieutenant-Governor, that three should be ex-officio members, namely, the stipendiary magistrates. The Government had, therefore, apart from the appointment of stipendiary magistrates, to appoint two other members of the Council one of these appointments had not

been filled up but one had been filled up by a half-breed resident in the Territories. There were two allegations made, one that there had been an indiscretion or want of wisdom in not making more of these appointments from old residents of the North-West Territories, and the other that the appointments had been made by reason of political pressure, which had involved the making of other and improper appointments. He believed that no one would pretend, certainly no one had yet done so, that there were persons in the North-West Territories to whom it was fit to entrust the administering of the civil and criminal laws of the Territories. A very large jurisdiction was to be given to the authorities in order to have maintenance of law and order there; and it was necessary to have persons acquainted with the laws and trained to their administration there. Would the hon. gentleman contend that the Government should have selected persons unaccustomed to the laws to administer those laws? If not, it was necessary to select persons who had the necessary familiarity with the laws.

**MR. TUPPER:** Hear, hear. The hon. gentleman will, perhaps, admit that the same thing applied to the construction of the Government of Manitoba.

**MR. BLAKE** said, one advocate from Quebec, who was familiar with the English and French language, who was capable of administering affairs, who had a knowledge and experience beyond his mere knowledge of the law, and who was considered a valuable acquisition as a Councillor or as a Judge, was appointed. There was another appointed from Ontario, who from the experience of years in the Department of the Minister of Justice, had acquired some knowledge of the working of the machinery, and whose appointment, it was considered, would be of great value to the Lieutenant-Governor. The third Stipendiary Magistrate was a person who had also followed the profession of the bar for a very considerable time, and had also acquired considerable experience of the Territories, as Commissioner of the Mounted Police. He had been for

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a considerable time amongst the people, in a very elevated position, had mixed with them in a position of command and trust, and, as the Government understood, had won their confidence. He was appointed upon his merits alone, and was subsequently appointed Chief Inspector of the Police. These officers did not receive any emoluments, as members of the Council. The only nominated member who received an emolument, was a half-breed of the Territory. He denied that the same applied to Manitoba. Law had been administered in Manitoba for a long time. There was a Governor there and a Judge, and an old and settled population; but beyond that the measure itself contained a liberal provision for the local management of affairs, at the earliest moment, when popular election could prevail. And he remembered that there was some comment upon that feature of the Bill from the Opposition Benches, but it was of a hostile character. The leader of the Opposition had then said that the Federal Government ought to retain control for years to come. But the Government, acting upon truly Liberal principles had maintained that provision, and he hoped, that under it, within some few months from this time, they would see two or three members of the Council elected.

Resolutions agreed to.

#### INDEPENDENCE OF PARLIAMENT BILL.

[No. 47.]

(*Mr. Laflamme.*)

#### CONSIDERATION OF SENATE AMENDMENTS.

**MR. LAFLAMME** moved concurrence with the amendment which removed the provision relating to the right of Senators to hold office under the Crown, which had been excluded by the House. The provision excluding Senators from accepting contracts under the Crown was unchanged.

**MR. BLAKE** said he regretted that the Senate should have made this amendment. The Senate had recognized a distinction between two classes of possible disabilities; they conceived their independence might be impaired by accepting contracts, but not by accepting offices under the Crown. He,

however, failed to apprehend the distinction which had induced the other Chamber to come to this conclusion, nevertheless, they should pay some deference to the views of the other branch of the Legislature on this subject. The Senate had struck out the whole clause and introduced a new clause dealing with the subject of contracts. He regretted the wording of it, and he thought the House would agree with him that it would have been expedient that the disabilities of members of the House and Senate should have been as far as possible the same. It would have been very convenient if the phraseology had been adopted. He regretted that the clause regarding the holding of office should have been eliminated, that the portion relating to contracts had not been left as sent up; but he did not propose to object to the acceptance of the amendment.

MR. TUPPER said that the ground as taken by the Senate, as he understood it, was that the British North America Act fixed the qualification of Senators.

MR. BLAKE: And this Act does not alter it.

MR. TUPPER: And they held that nothing that should affect the right of a Senator to sit there, should emanate from the House of Commons. He understood that this feeling had influenced to a considerable extent the Senate in dealing with this measure. They drew a distinction between the right to hold contracts without being subject to penalties, and the right to hold any office under the Crown. He was very glad that the amendment was accepted by the Minister of Justice.

*Amendment read the first and second time and agreed to.*

MR. LAFLAMME moved that the first amendment, page one, line ten, leave out from "attached" to "No" in line twelve; and the second amendment, page one, line thirteen, leave out "Clerk of the Peace," be disagreed to, for the following reasons:—

"Because the independence of this House (which it is the object of the first Clause

amended to secure) might be impaired if persons entitled to superannuation or retiring allowances were eligible for seats in this House, as some of such recipients might be called into active service by the Administration of the day, under the penalty of abandoning their provisions or allowances.

"Because it might lead to the superannuation of Civil servants in order to make them eligible for election to this House, whereby the public service would be injured and the independence of the House affected.

"Because another class, viz: Judges, are entitled to retiring allowances only when suffering from bodily or mental infirmity, disabling them from work or are retired under the discretionary power of the Government for reasons alleged to affect the administration of Justice. It would, therefore, tend to affect the independence of the Bench, as well as interfere with the independence of this House."

As to the second amendment:—

"Because it is contrary to sound policy to the Clerks of the Peace, who are in several Provinces, the custodians of the lists of voters, which must be used at the election of members of the House of Commons to become candidates."

He said that the Senate had struck out the disqualification of Clerks of the Peace for the sole reason that in Nova Scotia they were the custodians of the voters lists; but it was not proper that, under these circumstances, they should be allowed to be candidates.

MR. TUPPER said that, while the Clerks of the Peace were merely custodians of and had nothing whatever to do with the preparation of the lists, the revisors in Nova Scotia were not only the judges, but the absolute and uncontrolled judges, as to what names should appear on or be struck off these lists. There was no appeal from their decisions. He was very sorry that the Minister of Justice had felt it to be his duty to insist upon excluding officers who had really nothing to do with creating the lists or controlling them in any way, while he left untouched those who had absolutely uncontrolled power with relation to these lists.

MR. LAFLAMME said that Clerks of the Peace, if dishonest, might tamper with the lists of candidates. When the lists were revised, no election was at hand, and, if the disqualification

were extended, the selection of candidates would be rendered almost impossible.

MR. MACKAY said he did not agree with the remarks of the hon. member for Cumberland. It would be very unwise to remove this disqualification, and he hoped that the Senate amendment would be rejected.

MR. BLAKE said he had been and was still of opinion that the principle upon which these officers were excluded, was rather more germane to the Election Law than to a law having reference to the Independence of Parliament. They had, however, not insisted on their own views with regard to the other branch of the Legislature as the independence of their House; and he did not doubt that on insisting on the maintenance of their views as to the independence of this House, the other branch, acting in the same spirit, would drop the amendment to which they proposed to disapprove.

MR. DESJARDINS said he did not see why the country could not have the political services of superannuated persons if the people desired. He thought that the hon. the Minister of Justice should, at least in this particular, abandon his position and maintain the amendment adopted by the Senate.

MR. LANGEVIN said the hon. member for South Bruce said it was proper that each House should be jealous of its own privileges and independence. This was not a matter which affected members of this House personally, but which affected the electors and persons eligible to the House. It was not the members but the electors who were affected by this provision of the law. The House of Commons said to the electors, "You shall not elect an officer of the Civil Service who has retired on his allowance, or a retired Judge." The Senate had a perfect right to say: "We are of opinion that the people may select these men." It did not touch the independence of this House, but affected the electoral body, and the Senate, therefore, had a right to amend the Bill.

MR. MACKENZIE said the hon. gentleman stated this affected only the

people who chose representatives; so did the election or non-election of contractors and office-holders. If the people should have a free choice, why restrict them from choosing electors and contractors any more than those parties? He was amazed to hear the hon. gentleman say the right of the people to elect whom they pleased should not be interfered with. There would then be an end to all Independence Acts. The clause passed by this House was clearly intended to preserve its independence, which could only be done by limiting the choice to those who were in an independent position, and not subject to Government influence.

MR. CAMERON said the hon. the First Minister was perfectly amazed at the observations of the hon. member for Charlevoix. He was perfectly amazed at such a divergence of opinion as existed between the First Minister and the late Minister of Justice, who had pointed out, on a former occasion, that there was no wrong in the Government giving a contract to a member of this House, but that the wrong consisted entirely in a member retaining his seat while he had a contract. According to the First Minister, the wrong consisted in giving the contract, and it was in order to prevent contracts being given that they passed this Bill.

MR. MACKENZIE: I say we would prevent parties who are Government contractors from being elected.

MR. CAMERON: You also must prevent contractors from having seats in this House.

MR. MACKENZIE: We do both.

MR. CAMERON: But the hon. member for South Bruce had also argued there was no harm in a member of this House taking a contract, but that the harm lay in his sitting here afterwards. That was certainly not the ground taken by the First Minister. However, the merits and demerits of the amendments made by the Senate ought to be discussed, and not raise the childish point as to whether it was their privilege not to make these amendments. The question was, were they right or wrong?

MR. LAFLAMME.

The question of superannuated officers had been discussed at length. He could not agree with the dissent of the Ministers of Justice from these amendments.

*Motion agreed to.*

#### BUSINESS OF THE HOUSE.

MR. MACKENZIE moved,

"That there shall be to-morrow two distinct sittings; the first to begin at 2 o'clock P.M., and end at 6 o'clock, P.M.,—the second to begin at half-past seven o'clock, P.M., and continue until the adjournment of the House.

*Motion agreed to.*

House s'djourned at  
Ten minutes after  
Ten o'clock.

#### HOUSE OF COMMONS.

*Thursday, May 9th, 1878.*

The Speaker took the Chair at Two o'clock.

PRAYERS.

#### BALLOT PAPERS.

##### QUESTION.

MR. YOUNG said he had received letters from the West, enquiring whether in polling districts, where there was a large German vote as in Waterloo County, the Government would be prepared to direct the returning officers to have the ballot papers printed in German as well as in English. This would be a great convenience.

MR. PLUMB said that such a course would be objectionable.

MR. MACKENZIE said he believed that the returning officers were now empowered to have ballot papers printed in whatever language was prevalent in any county. In order that there might be no misapprehension about the matter, however, in those counties where the German language was prevalent to a singular extent, instructions would be given to the returning officers to have this done.

MR. CASEY said it would be almost more important to have the instructions to voters translated into German.

MR. DESJARDINS said that these instructions should be printed in French for the convenience of French speaking electors in the counties of Kent and Essex, and in those along the South shore of the Ottawa.

MR. MACKAY (Cape Breton) said the claims of the Gaelic-speaking electors should also be considered in this relation.

MR. SPEAKER: I do not suppose that I have anything to say in the matter; but I question the legality of ballot papers printed in German. The French and English languages are legal.

#### INDEMNITY OF A MEMBER.

##### MOTION.

MR. DEWDNEY moved:—

"That the Accountant of this House be authorized to pay to T. R. McInnes, M. P., the newly elected member for the Electoral District of New Westminster, the full amount of his indemnity, as if he had been in attendance in this House for the full number of days of the Session."

He said he believed that there were some precedents for a motion of this kind. The right hon. member for Kingston had made a motion at the close of the first Session of this Parliament to the same effect; and the Accountant was authorized to pay J. S. Thompson, S. F. Perry and two others, the full amount of their indemnity.

*Motion agreed to.*

#### SUPPLY—CONCURRENCE.

Resolutions reported from Committee of Supply *read the first time.*

MR. MACKAY (Cape Breton) said he desired to call the attention of the hon. the First Minister to the repeated applications made to him in connection with the dredging of the harbor of Lingan.

MR. MACKENZIE said it was impossible for him to make any promise, but it was probable the Government would be able to do some work in that neighbourhood.

MR. CARTWRIGHT moved that the resolutions adopted in Committee of Supply be referred to the Committee of Ways and Means.

Motion agreed to.

House resolved itself into Committee of Ways and Means.

(In the Committee)

The following Resolutions were adopted:—

1. *Resolved*, That towards making good the Supply granted to Her Majesty for the financial year ending 30th June, 1878, the sum of \$2,721,404.33 cents be granted out of the Consolidated Revenue Fund of Canada.

2. *Resolved*, That towards making good the Supply granted to Her Majesty for the financial year ending 30th June, 1879, the sum of \$19,458,856.95 cents be granted out of the Consolidated Revenue Fund of Canada.

Resolutions ordered to be reported.

House resumed.

Resolutions reported, read the first and second times and agreed to.

#### SUPPLY BILL.

(*Mr. Cartwright.*)

FIRST READING.

MR. CARTWRIGHT introduced a Bill (No. 80) for granting to Her Majesty certain sums of money required for defraying certain expenses of the public services, for the financial years ending respectively the 30th June, 1878, and the 30th June, 1879; and for other purposes relating to the public services.

Bill read the first time.

House adjourned at  
Three o'clock.

### HOUSE OF COMMONS.

Thursday, 9th May, 1878.

#### Second Sitting.

The Speaker took the Chair at thirty minutes past Seven o'clock.

SUPPLY BILL.—[BILL No. 80]

(*Mr. Cartwright.*)

THIRD READING.

Bill read the second and third times and passed.

MR. MACKENZIE.

### PROROGATION.

COMMUNICATION FROM HIS EXCELLENCY.

MR. SPEAKER communicated the following letter, which he had received:—

“ GOVERNOR-GENERAL'S OFFICE,  
“ OTTAWA, 9th May, 1878.

“ SIR,—I have the honour to inform you that His Excellency the Governor-General will proceed to the Senate Chamber to prorogue the Session of the Dominion Parliament, on Friday, the 10th instant, at 3 o'clock, P.M.

“ I have the honour to be, Sir,

“ Your most obedient servant,

“ E. G. P. LITTLETON,

“ Governor-General's Secretary.”

### SUPREME COURT BILL.

CONSIDERATION OF SENATE AMENDMENTS.

MR. LAFLAMME said the Government could not agree to the amendments made by the Senate to the Supreme Court Bill, as they virtually destroyed its object, and left the law as it previously existed. The object of the Bill was to remove doubts with respect to the right of appeal from the Court of final resort, and it had not yet been absolutely determined by the Supreme Court whether the right to appeal existed, say from the Court of Queen's Bench, in Ontario, in criminal cases, this Court not being the highest Court of final resort; and this left a doubt as to whether an appeal existed to the Supreme Court from a judgment of this Court; also, in the Province of Quebec, where an appeal existed from the decision of a Judge sitting in first instance to the Court of Review, and the appellant in the Court of Review failed, the law declared that there was no appeal from this judgment to the Court of Queen's Bench, although this was the Court of final resort there. The Bill was intended to remedy this doubt. Another doubt existed as to the right of appeal in matters where in the Province of Quebec the right of appeal existed to the Privy Council. The Bill originally provided for an appeal in cases where the matter at issue had the value of \$2,000, and in the Province of Quebec an appeal existed not only where the suit was \$2,000 to the Privy Council, but



also where questions of title were concerned. The Senate had thought proper to re-establish the state of affairs which it was desired to change, and so to destroy the Bill. He would, therefore, move that this House doth disagree in the said amendments, for the following reasons:—

“ Because the first amendment by inserting the word “ highest ” will in effect destroy this Section, which was intended to remove doubts as to the provisions of the Law as it exists, respecting the Right of Appeal from the Court of final resort ;

“ Because the second amendment would deprive parties of the Right of Appeal to the Supreme Court, in matters wherein an appeal lies to the Privy Council—and because there seems to be no reason why an appeal should be refused in matters relating to titles to land, annual rents, or such like matters or things, where the rights in future might be bound.”

MR. LANGEVIN said that a party could appeal in the Province of Quebec from the decision of one Judge in the Superior Court to the Court of Review, but if unsuccessful there, could go no further. The object of this Bill was to allow such a person to appeal to the Supreme Court; this was not intended by their law and it was not fair.

MR. TASCHEREAU said they had this anomaly: a party could appeal to the Privy Council in certain cases, but not to the Supreme Court. The Bill, as originally framed, was intended to alter this state of things, and he approved of it.

MR. MACDOUGALL (East Elgin) said the word “ highest ” was struck out because, in criminal cases in Ontario, the Court of final resort was the Court of Queen’s Bench or Common Pleas, while the Court of Error and Appeal was really the Court of highest resort in the Province. As doubt might exist as to the meaning of the phrase “ highest Court of final resort ” as to Ontario, the word “ highest ” had been struck out.

MR. MOUSSEAU said he always understood that the object of the Supreme Court was to hear appeals in election, and especially commercial cases. The object of the motion of the hon. the Minister of Justice was to allow parties

who had been unsuccessful in both the Superior Court and Court of Review to appeal to the Supreme Court.

MR. LAFLAMME: Instead of to the Privy Council?

MR. MOUSSEAU: There is no such right. Litigants cannot go to the Privy Council before they go to the Court of Queen’s Bench.

MR. LAFLAMME: The right exists.

MR. MOUSSEAU: Not in civil cases.

MR. LAFLAMME: Yes, when the amount equals £500 stg., and many such motions have been granted.

MR. MOUSSEAU: From the Court of Review?

MR. LAFLAMME: Yes.

MR. MOUSSEAU: There is no such appeal.

*Motion agreed to on a division.*

#### INDEPENDENCE OF PARLIAMENT BILL.

##### CONSIDERATION OF SENATE AMENDMENT.

MR. LAFLAMME said that the Senate had agreed to withdraw the 3rd amendment respecting Clerks of the Peace, but insisted on the 2nd amendment. This he greatly regretted, as the Bill contained provisions which might be of great use in the future, and would remove difficulties which had existed in the past. It was thought proper, notwithstanding the protest entered by the Government against the interference in such a matter of the Senate, to accept the amendment in order to secure the advantages which this Bill would probably confer in removing difficulties which had arisen through the interpretations of the previous Act. He, therefore, moved that this House concur in the amendment made by the Senate to this Bill.

SIR JOHN A. MACDONALD said he did not think it lay in the mouth of the hon. gentleman to object to the Upper House dealing with a matter affecting the Independence of Parliament as some of the clauses of the Bill affected that body. If this House had a right to deal with the Senate, they certainly had a right to deal with this House. The Independence of Parliament was a matter of

equal interest to both Houses. That principle was always contended for in England, where great regrets were expressed at the time of the great discussion on the Reform Bill, that the House of Lords differed with the representatives of the people, but no question was raised that it did not rest with the Peers to cast their intelligence on questions which affected the Constitution, of which they were the guardians as well as the Lower House.

Mr. MACKENZIE said no one doubted the perfect constitutional right of the Senate to amend a Bill, even if it referred exclusively to the representation of the people. But it was expected that a House which raised the question, that it was an impropriety to introduce any Bill in this House which affected in the most remote degree the Senate, should be the last body to attempt to interfere with the popular branch of the Legislature, in a Bill relating wholly to the representation of the people in this House. It could not fail to be a matter of deep regret to every one that that House should have entered upon the ground upon which it had ventured, to judge from the speeches of its members, of denouncing the introduction of a Bill in this House which changed in any way the privileges or rights of Senators. A Bill having reference to the Independence of Parliament might be introduced in either House. It must be introduced in one House, and could not possibly be introduced in both branches; it must take its origin in either one or the other. It originated here, not as a matter of necessity, but as a matter of simple convenience. This House accepted the amendments made in matters relating exclusively to the Senate, although he thought the working of the clause relating to the Independence of the Senate might have been made conformable to the working of the clause having reference to the exclusion of contractors from this House. In an artistic sense this would have been the better mode; or if the Senate thought better, they might have changed the wording of our section. They not only claimed but exercised the right which, of course, was vested in them, but not in the way ex-

pressed by many of their members, to deal exclusively with matters relating to their own House. In addition to that, they claimed also to know what suited this House better than the members of it themselves. In a matter relating wholly to the representation of the people, while they had a perfect constitutional right to make amendments, it was a right which they should exercise with great prudence. They should observe the greatest possible reticence in a matter which passed this House by a large majority, and which related wholly to this branch of the Legislature.

SIR JOHN A. MACDONALD said the hon. gentleman had stated that the Bill could not possibly be introduced in both Houses. It could have been arranged so as to get rid of that difficulty. He had been reading the diary of Sir Francis Romilly, who had been the great Parliamentary authority in his day, where he spoke of a Bill introduced by himself, to affect the privileges of members of Parliament as to the right of their being protected from being sued, and to take away from them that absurd right. He drew the Bill altogether confining it to the House of Commons, but stated it should be extended to the House of Lords, to which the latter objected. There was no reason why the leader of the Government should not have moved a Senate clause, as an addition to the Bill, and then there would have been no apparent difficulty.

Mr. MACKENZIE said the same object was accomplished by the Government, accepting the amendment.

Mr. MILLS said Sir Francis Romilly was not at that time a member of the Administration. The Bill introduced by the Government did not stand exactly in the same position with regard to that particular objection, because the Government was a joint committee of both Houses. Both Houses were represented in the Administration, and any measure introduced by the Administration might fairly be considered as equally being a measure of both Houses. It was perfectly certain, as the hon. gentleman indicated, that any member might introduce in either

SIR JOHN A. MACDONALD.

House bills affecting any public question with the single exception that the Senate could not introduce a measure affecting taxation. The objection made by the Senate did not apply to a measure introduced by the Government in the same way that it did to a measure introduced by a private member.

SIR JOHN A. MACDONALD said he objected to that doctrine *in toto caelo*. A Government measure stood on the same basis and was governed by the same constitutional principle as that of any member. The Government was a committee of both Houses in acts of Administration but not in acts of Legislation.

MR. MILLS said if this doctrine were true, no Administration need resign in consequence of an adverse vote upon a question of Legislation. It would always be on an act of Administration and nothing else.

Motion agreed to.

#### ADJOURNMENT OF THE HOUSE.

##### REMARKS.

MR. MACKENZIE: In moving that the House adjourn until two o'clock to-morrow, I desire to say a few words with reference to one of the measures which were introduced this Session. It will be recollected that a few weeks ago I introduced a Bill to amend the Pacific Railway Act, in which it was provided that the Government might lease the Pembina Branch Railway to some company or companies, or make such other arrangements for the working of that line as might be, in the opinion of the Government, suitable and proper, and that before the lease was made it should be subjected to the approval of the House of Commons. This Bill was sent to the other branch of the Legislature, and by that branch amended so as to require that any such lease should be made subject also to the approval of the Senate, as well as the House of Commons. I moved a disagreement from that amendment on the ground that the Senate was usurping the rights of the popular branch of the Legislature, and on the ground that all matters of that kind should have the approval of

the members of the House of Commons, who are elected by the people; and I asserted in my motion that that was the uniform practice in England, as well as the uniform practice in this country. There can be no harm, of course, if any Administration please, in sending certain measures to the table of the Senate, but that the Senate should require, or that this House should agree to, the submission of contracts to the Upper House for approval is, in my opinion, a subversion of the principles of the Constitution. And to assert it is, on their part, a usurpation of the rights and privileges of this House. The Senate, however, have informed this House that they adhered to their amendments, and they claim the right, in the message which they sent down to this House, to exercise co-ordinate powers in all these matters with this House. Now, Sir, I cannot, as the leader of this House, or as a member of this House, accede to this extraordinary and unprecedented demand. I will not do it. And I am sure, Sir, this House will not do it. I regret exceedingly that the Senate have acted in this way, as I am one of those who advocated originally, when the terms of our Constitution were under discussion, that that Chamber should be constituted as it now is, not because I was wedded to a nominated Chamber, but because I felt and argued that it was desirable, if an Upper Chamber existed at all, that it should have a different Constitution from that of the Lower House; because I felt it desirable, if there was to be a review of the proceedings of the Lower House, it should be had by a body constituted in a somewhat different manner from the popular branch. I confess, after my experience of ten or twelve years, that my opinions have been greatly modified in that time. Now I regret exceedingly, as one of those who took that part in the original discussion, that I should be compelled to make these statements at the present moment; but my regard for our Parliamentary system, Parliamentary Government as a whole, compels me to make these statements and resist this attempted encroachment on the rights and privileges of the popular branch.

And, Sir, for these reasons I must adhere, to my disagreement, and throw on the Senate the responsibility of defeating a measure which the Government deemed necessary in order to obtain early railway communication with the city of the North-West, which is the centre of immigration for those districts which we hope will be populated some day, and which are at present so difficult of access. I have only now to say, Sir, in response to the action of the Senate, that it will be the duty of the Administration, having the approval of the House of Commons in their policy, to consider what measures, if any, can be adopted in making running arrangements with roads joining that road, and to see what can be done in this matter in order to reach the object which the Government had primarily in view, namely, the securing of that early communication with the centre of our western Province. Whether this may be done or not, I am not at the moment prepared to say, but I think that it is probable that the Government may find means of accomplishing to some extent—if not to the extent that seemed desirable, under the powers given by that Act, of leasing the line, so desirable an object as the opening up of that country for settlement, an object which never can be attained until we have railway communication into its heart. I have nothing more to say further than again to express my deep regret that I should be compelled to take the course I have taken, and express the hope, also, that at another Session the Senate will find some reason for receding from its present untenable and unconstitutional course.

MR. TUPPER said he felt sure the hon. the leader of the Government would never appeal in vain to either side of this House, in any measure necessary to vindicate the rights and privileges of this House against encroachments from any quarter whatever. He thought the hon. gentleman had been singularly unfortunate in the ground chosen on the present occasion. The hon. gentleman stated his reasons for disapproving of the claim of the Senate to have the question submitted

to them as it was proposed to be submitted to the House of Commons before the Act could be consummated. He (Mr. Tupper) had no hesitation in saying that his reasons had been not only answered, but overturned. The hon. gentleman had been told that, instead of its having been the uniform practice of this House it was the other way; that, while it was quite true that the consent of the House of Commons in the Canadian Pacific Railway Bill was only required in order to confirm contracts that were made for the expenditure of money already voted by Parliament. Even that matter, after that clause of the Bill had passed, because so important a measure as a Bill containing that clause had been sent up to the Senate at too late a period to enable them to give it attention clause by clause. No person was more to blame than the hon. gentleman, from the fact that this most important measure was not only sent to the Senate at this very late period of the Session, but was withheld from this House, and the most important papers to be submitted were purposely brought under consideration of this House at too late a period to be properly discussed. The hon. gentleman undertook to state that it was the uniform practice of this Parliament. The Senate were able to answer him that in relation to the transfer of the Windsor Branch of the Intercolonial Railway to a company for the purpose of securing the construction of a long line of railway through Nova Scotia, the very act of this Government had been to require, not that the arrangements made by the Government should become operative after they had received the sanction of the House of Commons, but when they had received the sanction of the Senate as well. The hon. gentleman was told that when, in relation to the transfer of the Pictou branch with the like object of securing the construction of a long line of railway through the eastern part of Nova Scotia, the transfer was not proposed to be made, nor were any arrangements proposed to be made by the Government to have the force of binding a contract until they had received the approval of the Senate as well as of the House of Commons.

MR. MACKENZIE.

**MR. MACKENZIE:** Does the hon. gentleman mean to say these were two precedents?

**MR. TUPPER:** These were two precedents of the strongest and most conclusive character, but they did not stand alone. The hon. gentleman knew, in reference to the postal contract, the assent of the Senate was required as well as that of the House of Commons.

**MR. MACKENZIE:** No.

**MR. TUPPER:** Let the hon. gentleman read the statement as sent down by the Senate.

**MR. HOLTON:** I have read it.

**MR. TUPPER:** Not only was that the case, but the hon. gentleman was entirely wrong in stating that there were no British precedents. The hon. member for Terrebonne had cited as clear and distinct a case in the British Parliament as possible, the Admiralty contract, which was required to be laid on the Table of both Houses of Parliament.

**MR. MACKENZIE:** Does the hon. gentleman say the Admiralty contract required the sanction of the House of Commons?

**MR. TUPPER** said he did. He stated it distinctly, and he left it to the judgment of the House or of any gentleman who knew anything of constitutional practice, whether the terms of a contract requiring it to be laid before the House of Commons did not involve the right of the House of Commons to reject it. **Mr. Todd**, who had been often quoted in this House as an authority, stated emphatically to the hon. member for Terrebonne that there was no distinction whatever between the Act requiring to be laid before the House of Commons and the assent and sanction of that body. It would be the most arrant stultification to suppose that a contract should be required to be submitted to a body if that body were to be precluded from expressing an opinion on it. The fact of requiring an Act to be laid for so many days on the table of this House before it became operative, gave this House the right to disallow that

Act, to interpose and to declare that that contract should never take effect. The English precedent established beyond controversy the question of right and the propriety—

**MR. MACKENZIE:** No.

**MR. TUPPER:** The hon. gentleman wanted to know if he called the Picton and Windsor Branch of the Intercolonial Railway a precedent. He did. He thought he could satisfy the House, even if he failed to satisfy the hon. the Premier, or the hon. the member for Chateauguay. He thought there were a good many gentlemen on both sides who would come to the conclusion that the policy was the question in controversy in this case. It was whether a question of important public policy should be dealt with by this House alone, or should require the sanction of the Senate. He would take it as a question of public policy. Of what use was the Windsor Branch of the Intercolonial Railway. It was a burden to the country; it was yielding the country no profit as far as that railway was concerned; it was a great object to utilize it for the purpose of such railway extension as might be secured in that way, to open up a large section of the country, to increase its trade and revenue. Would any person place in the same category the right to transfer the Windsor Branch of the Intercolonial Railway for the purpose of securing the construction of a long line of railway through the country, and the policy of enabling the Government and a moribund Parliament at their last hour, holding power in opposition to the well understood public sentiment of this country, to pass this important measure? What did the ground, taken by the hon. the First Minister, resolve itself into? Into a question of great magnitude, that of getting a line of communication between the great North-West and the outer world for a period of ten years, and which, as matters stood at present, was likely to be the only line for communication for several years. But behind the question there was one of much greater magnitude granted, that this Government had the power, with the sanction of its supporters who

could to-day sustain it, but who to-morrow, when they went back to the people to receive their verdict, would not be supported by them, to pass the legislation in this House. To sustain the policy of the Government was to assert its right, without consulting the Senate, to transfer the whole of the Intercolonial to the Grand Trunk to-morrow for any number of years on such terms as they might think proper. It might be very convenient to a Government in the position of this one to have such a power, to be able to act as they pleased, regardless of the sentiments of everybody, except those who sat behind them on the Treasury benches. Under this policy there was not merely the question of leasing 69 miles of a branch of the Canada Pacific Railway, but the right of the Government was asserted to spend a hundred millions of Canadian money in building the Canada Pacific Railway, and, then, without the authority of the Senate, without the authority of anybody except the party majority in the Commons, however small that might be, to transfer to any company for fifty years the whole control of this railway, extending 3,000 miles across this continent.

SIR JOHN A. MACDONALD said he desired to add a few words to the remarks made by the hon. member for Cumberland, although it was almost unnecessary for him to do so. The speech of the Premier was a fitting wind up to the many acts of the present Government which were in direct opposition to their professions. Before the taking of office by the present Administration, the country was told that the new Government was to be an honest Government, and that everything was to be left to the control of Parliament. To-day the country was told, when an essential branch of Parliament chose to exercise the authority conferred upon it by the Constitution, it was guilty of an act of usurpation. Why, one would suppose that the Senate was merely a body to register the decisions of the House. One would suppose the Premier was merely doing an act of courtesy to the

Senate in sending his Bills to that House at all. The hon. gentleman surely knew that the Senate had a right to reject his measures altogether, and it also had a nominal right to stop the supplies, but that was a measure only to be adopted in case of an extremity. Such an argument as had been applied with regard to this Bill here, was the introduction of a new feature into our railway policy, in which Parliament was asked to confer upon the Government, in its last moments, the power to alienate a portion of our railway system, and to give to a foreign road the control of a branch of our greatest railway undertaking for ten years. If the statement was correct, the first proposed agreement was for twenty-one years. He would like the hon. gentleman to say whether it was or not. He would like the hon. the Premier to say whether that was the case or not; but the hon. gentleman who was once in favour of everything being within the control of Parliament, now said he regretted the necessity of the Government to look round and see if they could not find some means of carrying out their intentions, irrespective of the action of Parliament. Necessity was the tyrant's plea, and never was a more despotie use of power proposed. The hon. gentleman had intimated that he was going to consider whether by hook or crook he could not find some means of getting rid of the constitutional course taken by the Senate. Yes, as history showed, a constitutional course was sometimes very inconvenient to an arbitrary and oppressive Government. All would remember what Charles Fox said to Napoleon the Great when they were discussing the introduction of trial by jury into France. Napoleon objected to it on the ground that "the system was so very inconvenient." "Well," Fox replied, "it is for the inconvenience of the system that the people of England like it." And it was because of the inconvenience to the Government of the constitutional action of the Senate which put a stop to their bargain with the hon. member for Selkirk, to make him a rich man, and to pay him for his servile support, that an unconstitutional course was proposed.

MR: TUPPER.

MR. SPEAKER: The hon. gentleman cannot say that an hon. member is paid for his support.

SIR JOHN MACDONALD: Then a reward, a gratuity. As Shakspeare said, "a reward is better than a peculium." All would remember how coy the hon. member for Selkirk was about admitting that he was interested in the Company. He (Mr. Smith) said it was none of his (Sir John A. Macdonald's) business to ask whether he (Mr. Smith) had an interest, but it had to come out at last, and the hon. gentleman who had the astuteness to get the Government into the bargain, had not the astuteness to keep the matter to himself. The circumstances were suspicious. The circumstance of an hon. gentleman getting up and advocating a proposal in which he was interested, was more than suspicious. With reference to the action of the Senate, he (Sir John A. Macdonald) might say it was true that, with respect to the contracts for the Canada Pacific Railway, they had to be laid only before the House of Commons, but if the Senate had chosen to say that the contracts should be laid before both Houses, such a clause should be inserted in the Bill. But the Senate did not require that; probably because the contracts were merely to carry out the details of a measure, the policy in connection with which was set out on the face of it. In the present case the contract involved a question of policy as well as lease arrangements, or, as the Bill said, "otherwise," the word "otherwise" meaning some arrangement not told to the House of Commons nor to the Senate. The hon. gentleman, in bringing up a matter involving a new policy, should have included its terms in the Bill. If he believed that his policy was in the interests of the country, and that it would meet with the sanction of Parliament, why did he not put it on the Bill? If power such as was asked in this Bill were given to the Government, it would prevent this Parliament from resisting a similar but more extended measure, by which power might be given to the Government of the day to lease the whole of our railway system, east, west, north and south.

The proposition to pass a general Bill of this kind was too monstrous. If there was something in the policy of the Government, of which this House would not disapprove, they could put it in the Bill; but, no, a general measure was brought down, *dolus latet in generalibus*. The hon. gentleman passed it in this House, he was unable to carry it in the Senate, and now he was going to find some similar way to carry out a policy which he was not able to sustain in Parliament. That was the action of a Government in a free country. It was the avoidance by the Government of the constitutional restrictions put upon it. It was the action of a Government led by a constitutional Minister, who prided himself, when he came into power, that he would submit to Parliament a thorough control of all matters. He (Sir John A. Macdonald) warned that gentleman that he would be held responsible for his action by the country.

MR. MACKENZIE said the hon. gentleman had got up for the purpose of getting a speech upon record which he knew in its terms to be false. Any one would have imagined from the speech of the hon. member for Cumberland that the points in the two cases were similar, and that they had both been submitted to the Upper House. The facts showed that there was nothing in the way of parallel in the cases. In the Canadian Pacific Railway Act there was an express provision to the effect that the contracts shall be approved by the House of Commons, and that they should be laid upon the Table of both Houses. That did not involve that an approval was to be given by the Senate. The cases which had been quoted from British practice had no application, for, although it was true that the returns had to be laid upon the Table of the House of Peers, there was nothing to show that the Peers had any power of veto over them. The Senate had entered upon a course which was most dangerous to the Constitution of the country. It had entered upon a course which every member of the House was bound, from considerations of national safety in a parliamentary sense, to resent and resist, and it had entered upon a course which would

be dangerous to the Constitution of that Chamber as it exists, by initiating agitation in the country which could only result in disagreement between the great authorities of the State; and there would be a necessity for changes which every one of them could have wished would not have been necessary.

House adjourned at  
Thirty-five minutes past  
Nine o'clock.

## HOUSE OF COMMONS.

Friday, 10th April, 1878.

The Speaker took the Chair at Twenty minutes before Three o'clock.

### PRAYERS.

### QUESTION OF PRIVILEGE.

MR. SMITH (Selkirk): Mr. Speaker, I rise to a question of privilege. I notice in one of the public prints of Ottawa that the right hon. member for Kingston—who, I regret, is not now in his place—has spoken of me in this House in a manner which, I think, I can well characterize as most unfair and most unjustifiable. I will read what is stated in the *Free Press*. It is as follows:—

“The Supply Bill passed. The amendments made by the Senate to the Independence of Parliament Bill and Hon. Mr. Blake's Bill were agreed to, and those to the Supreme Court Bill disagreed to. A brief but violent discussion arose over the action of the Senate with regard to the Pembina Branch. The Premier severely criticised the conduct of the Senate in throwing out this Bill, and was followed by Sir John A. Macdonald, who insinuated that the Bill was merely an arrangement by which the Government could reward a member of the House for his servile support, and that this member had been compelled to admit in the House that he was interested in this monopoly.”

In the first place I say I never did make such an admission in this House to the hon. gentleman, and even had I done so, I think that the hon. gentleman had no right to speak of me as he did on that occasion. Whatever I have done in this respect I have done in the most open manner possible.

MR. MACKENZIE.

When it was found that others could do nothing in the way of getting better railway facilities and completing the railway connection with Manitoba, I certainly, as a member from that Province, did my utmost to effect that. As I said on another occasion in this House, for two or three years back I have laboured earnestly to that end in connection with some friends, and no sooner did it become possible to get that which was so much required—indeed an absolute necessity for the country—than the hon. gentleman and his friends put every obstacle in the way of its being carried out. He comes down to this House and says that the Government are actuated by unworthy motives in proposing to make running arrangements with the St. Paul and Pacific Company over the Pembina Branch, and that it was their intention to reward me in this way for my servile adherence to them. Now, I would like to ask the hon. gentleman the member for Kingston and any member of his Government, if on any occasion they found a disposition on my part to ask or receive any favour from the Government, either for myself or for that corporation which has been so much spoken of, and which I have had the honour of representing—that is the Hudson Bay Company. I would ask the hon. member if I have received one sixpence of public money or one place, either for myself or any other person connected with me, and if at this moment there is one single person related to myself who receives one sixpence of the public money; and I might ask the hon. member if this is so with all those who may have claims upon himself. But perhaps it would not be very generous to refer to these matters particularly.

SIR JOHN A. MACDONALD: Refer to what?

MR. SMITH: This is—

SIR JOHN A. MACDONALD: What would it be ungenerous to refer to?

MR. SMITH: I mentioned that there was not one relative of mine who drew one sixpence of the public money, who held any place in



the public service, and said, perhaps, it might be otherwise with those connected with and related to the right hon. gentleman.

SIR JOHN A. MACDONALD: Hear, hear.

MR. SMITH: Not that there would be anything wrong even if it were so as regards the hon. gentleman's friends, but I say I always desired to keep myself entirely free and independent with regard to these matters of one Government or of the other Government. I would ask the hon. gentlemen on this side of the House if I have ever desired any favour for myself, or anything for any one except for such of my constituents as have applied to me for places under the Government; and I ask, further, if, on any one occasion, where I have recommended a single individual for any place, or any position, or any appointment, I have done so without the saving clause that it was conditional on his being found in every respect well fitted for it, both as to character and ability. This unwarrantable attack of the right hon. gentleman is but a continuation and a repetition of what he and his friends have been saying of myself both inside and outside of this House for some time back. The hon. gentleman who sits on his left, the hon. member for Cumberland, has not been slow to use my name, as I find by another public print. I find that the hon. gentleman says,—I think it was at what is called the Orangeville picnic. I know very little of these picnics, I have not followed them closely, nor indeed have I followed them at all. I was otherwise I trust honestly and more properly occupied in the pursuit of my duties.

SIR JOHN A. MACDONALD: More profitably engaged, no doubt!

MR. SMITH: I trust so—more profitably and more properly. I find that the hon. gentleman, the member for Cumberland, says here, speaking of certain names that were given in the *Globe* of those who did not support the right hon. gentleman at a critical moment in 1873—

MR. TUPPER: Mr. Speaker, I rise to a question of order.

MR. SMITH: It will be remembered that—

MR. SPEAKER: A question of order is raised.

MR. TUPPER: I rise to a question of order, and I put it to you, whether it is not an abuse of the right to read from a newspaper, for the hon. gentleman has had that speech here during the three months that we have been in Session, and to speak at the moment when Black Rod is coming to the door and thus to shelter himself from the answer which he would otherwise get.

SIR JOHN A. MACDONALD: And the punishment he would otherwise get.

MR. SMITH: I had no such opportunity.

MR. TUPPER: A more cowardly thing I have never seen ventured on in this House.

MR. SMITH: I am not surprised at this from the hon. gentleman.

MR. TUPPER: Anything more cowardly I never heard of. I am responsible for every word I have uttered on the platform. I have sat here for three months, and no reference has been made to this by the hon. gentleman or anybody else.

Some HON. MEMBERS: Order.

MR. TUPPER: Neither the hon. gentleman—

Some HON. MEMBERS: Order.

MR. TUPPER: Nor any other hon. gentleman—

Some HON. MEMBERS: Order.

MR. TUPPER: Has ventured to challenge one word I have uttered during the recess of Parliament.

MR. SMITH: The charge of being a coward I throw back on the hon. gentleman.

SIR JOHN A. MACDONALD: Let the poor man go on.

MR. SMITH: The hon. member for Cumberland said:—

“He would give his hearers the names mentioned by the *Globe* as having left because of the scandal, and he asked them to mark them. It would be remembered that the

Government had a majority of from twenty-five to thirty, and, in order to gain a majority, the Opposition had to take half of them away. How many of them did the *Globe* mention? Would his hearers believe it? Three. But who did they suppose were paraded before the people in that connection? He would read their names. For what purpose did Mr. Glass, Hon. D. A. Smith, and Col. Bay, not to mention others—all men who had supported Sir John A. Macdonald in the first session of 1873—desert Sir John, but for his conduct in connection with the Pacific Scandal? Did any one who read the public prints want to know why the independent, high-souled, patriotic Mr. Glass left the party, and where he had been ever since? He, a lawyer, was certainly about the last man one would expect to find up to his eyes in railway and Pacific telegraph contracts with the Government. Yet there he was, and the law was trampled under foot to pay him, as they gave him the contract without first having the road located. Then they said Hon. D. A. Smith. Did the *Globe* suppose that the people of Canada had no memories, and that they did not know that Mr. Smith gave unqualified evidence that the Canada Pacific scandal had nothing to do with his changed attitude towards Sir John Macdonald? Mr. Smith was a representative of the Hudson Bay Company and he had been pressing a claim on his right hon. friend for public money; Sir John had been holding back, and Mr. Smith came to the conclusion that it would be just as well to jump the fence if there was to be a change of Government. But Mr. Smith was a canny man; he held back and sat on the fence and watched the course, certainly not in the interests of his country, because he did not want to jump too soon and find he had jumped into a ditch. But, when he came to the conclusion that the Government was going out, he made the bolt, and he (Dr. Tupper) had no doubt that he had had a great deal of reason since for congratulating himself on having jumped as he did."

That is the insinuation—the broad assertion made on the part of the hon. member for Cumberland at his picnic, and reiterated here, and I give it the most positive denial, and say—that never was anything received by me or desired by me from the present Government any more than from the former Government. What are the particulars of this affair of 1873, as regards myself? Does the hon. gentleman not know, and does not the right hon. gentleman know too, that members of the late Government approached me before the eventful 4th of November, and that they wished to sound me and know how I was going to vote in this

MR. SMITH.

matter; and that some days in advance of that time, I was requested to meet the hon. member for Charlevoix in the Speaker's room, and did meet him there? And do they not know that an hon. gentleman from the other House, the Hon. Mr. Campbell, a gentleman for whom I have a very high respect, personally, also met me there, and that to both of these gentlemen, during a long interview, at which was present also another gentleman who was then, likewise, a member of this House—Mr. Nathan, a personal friend of mine—I declared that I could not vote for the amendment to the amendment that was even offered by Mr. McDonald of Pictou? Do they not know I said—"No, I cannot do so; I cannot possibly do so; I cannot conscientiously do so."

MR. TUPPER: Does the hon. gentleman deny—

Some HON. MEMBERS: Order.

MR. TUPPER: That he telegraphed down here—

Some HON. MEMBERS: Order.

MR. TUPPER: That he would be here and support the Government—

Some HON. MEMBERS: Order.

MR. TUPPER: After he knew everything about the Canadian Pacific Railway affair. Does he deny that?

MR. SMITH: I do deny it. I never telegraphed I would be here and support the Government. Never, never. I know that the right hon. gentleman wrote me, asking me to come down, but the hon. gentleman cannot say—dare not say—I ever telegraphed I would support the Government, and no other hon. gentleman can say so.

SIR JOHN A. MACDONALD: I will tell you what I can say—

Some HON. MEMBERS: Order.

SIR JOHN A. MACDONALD: I telegraphed the hon. gentleman—

Some HON. MEMBERS: Order.

SIR JOHN A. MACDONALD: He dare not listen to an explanation.

MR. SMITH: On the occasion referred to in the Speaker's Chamber,

I said that I could not support the Government, but I offered and proposed that there should be another amendment, and a very different one, that is, the Government should frankly confess their fault to the House, and then, if the country condoned it, and Parliament condoned it, it would be a very different thing. That is what I proposed to the hon. gentleman, and this was reduced to writing at the time.

MR. TUPPER: That—

Some HON. MEMBERS: Order.

MR. TUPPER: Is not what you telegraphed.

Some HON. MEMBERS: Order.

MR. TUPPER: That is not what you telegraphed.

SIR JOHN A. MACDONALD: Hear, hear.

MR. SMITH: The hon. gentleman is altogether in the wrong. I telegraphed simply in courtesy in reply to a letter that I would be in Ottawa by the 23rd October. I saw the right hon. gentleman himself in one of the rooms. He sent for me. Mr. Mitchell came and informed me that the hon. member for Kingston desired to see me; and let me say to Mr. Mitchell's credit, that he has got up in many an assembly where I have been and said I was perfectly justified in doing as I did, as Mr. Mitchell knew all the circumstances.

SIR JOHN A. MACDONALD: I am sure he did not.

MR. TUPPER: Will the hon. gentleman name—

Some HON. MEMBERS: Order.

MR. TUPPER: One single meeting where Mr. Mitchell ever made such a statement anywhere, and where the record of it is to be found, except out of the hon. gentleman's own mouth—

Some HON. MEMBERS: Order.

MR. SMITH: I could do so.

MR. TUPPER: And that goes for a very little in this House or out of it.

MR. SMITH: I can bring forward a number of gentlemen of high respectability, whose word will be taken all

over the country and all over the world.

MR. TUPPER and HON. MEMBERS: Name, name. Where, Where?

MR. SMITH: I could mention a dozen.

Some HON. MEMBERS: Name.

MR. SMITH: A dozen most respectable men in Montreal, and some in Ottawa, too.

Some HON. MEMBERS: Name.

MR. SMITH: A dozen of them.

MR. TUPPER: I never heard of these meetings and statements.

MR. SMITH: And, if necessary, I am prepared to do so at another time. On the occasion spoken of I did see the hon. gentleman in the room. I think it was No. 6 or 5, and the hon. gentleman then did try to persuade me to vote for him, but the hon. gentleman will not dare to state I said I could support him; and what did the hon. gentleman say to me then at length—

Some HON. MEMBERS: Order.

MR. SMITH: He said,—“If I am not supported now I will appeal to the country.” The right hon. gentleman during the present Session spoke of Selkirk—the constituency I have the honour to represent—as being a rotten borough, an Old Sarum, but in speaking of me as he did on the evening of that 4th November, he must have counted on the whole of Ontario being one great rotten borough, a veritable Old Sarum, as he said that if he appealed to it he would have Ontario to a man with him.

An Hon. MEMBER: Hear, hear.

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

MR. ROCHESTER: How much did the other side offer you?

MR. SMITH: The hon. gentleman says he did not say so; certainly the spirit within him said it; for the words came out of the hon. gentleman's mouth.

Some HON. MEMBERS: Order.

MR. SMITH: If he did not say so, the spirits within him did. Those words were uttered by the hon. gentleman.

SIR JOHN A. MACDONALD: They were not uttered by me.

Some HON. MEMBERS: Order.

SIR JOHN A. MACDONALD: They were not uttered by me.

MR. SMITH: They were, as surely and certainly as the hon. gentleman and I are here.

HON. MEMBERS: Order, order.

MR. SMITH: The hon. member for Cumberland the same evening told me that the right hon. gentleman was not capable of knowing what he said; and will he deny—

Some HON. MEMBERS: Order.

MR. SMITH: The hon. member for Cumberland said next morning—

Some HON. MEMBERS: Order.

MR. TUPPER: Mr. Speaker, I rise to a question of order, and I want to ask you whether it is competent for any hon. gentleman to stand up in this House and detail what he himself admits are private conversations. Is it competent for a man to detail private conversations, while falsifying them?

Some HON. MEMBERS: Order.

MR. TUPPER: And his word passes for nothing here or elsewhere.

Some HON. MEMBERS: Order.

MR. TUPPER: I have never witnessed such—

Some HON. MEMBERS: Order.

MR. TUPPER: Cowardly abuse of—

Some HON. MEMBERS: Order.

MR. TUPPER: Of the privileges of this House, as for an hon. gentleman to be guilty of making a speech when there is no possibility of a reply being made to it.

MR. SMITH: The hon. gentleman—

MR. SPEAKER: The hon. gentleman is defending himself against a very grave charge made against him.

MR. SMITH.

The relating of private conversations may be held to be very improper, but it is not unparliamentary.

MR. TUPPER: I do not complain of the relating of private conversations, I complain—

Some HON. MEMBERS: Order.

MR. TUPPER: I complain of the hon. gentleman falsifying private conversations, and detailing that as a conversation which he knows to be falsified.

MR. SMITH: I do not look upon them as private conversations, and I give the exact truth. I was sent for as a member of the House by the gentleman at that time the head of the Government, and he—

Some HON. MEMBERS: Order.

MR. SMITH: Endeavoured to get me—

MR. TUPPER: Will the hon. gentleman—

MR. ROCHESTER: They could not give you enough.

MR. SMITH: Will he deny that the next morning when I met the hon. gentleman here, who is on the other side—

Some HON. MEMBERS: Give.

MR. SMITH: At Mr. Tupper's office when he was Minister of Customs. Will he deny that he said to me that so soon as it was possible to make the right hon. gentleman to understand right from wrong, or to that effect—

MR. TUPPER: The hon. gentleman has asked if I will make a statement.

Some HON. MEMBERS: Order.

MR. TUPPER: I tell him that if he will allow me five minutes—

Some HON. MEMBERS: Order.

MR. SMITH: Only for an apology.

MR. TUPPER: I will show that the very first statement he commenced with to-day—

Some HON. MEMBERS: Order.

MR. TUPPER: The statement that he never sought a favour from the late Government—

Some HON. MEMBERS: Order.

MR. TUPPER: Is as false a statement—

Some HON. MEMBERS: Order.

MR. TUPPER: As ever issued from the mouth of any man, and he has continued—

Some HON. MEMBERS: Order.

MR. TUPPER: With a tissue—

Some HON. MEMBERS: Order.

MR. TUPPER: Sir, of as false statements as were ever uttered—

Some HON. MEMBERS: Order.

MR. TUPPER: By any man.

Some HON. MEMBERS: Order.

MR. TUPPER: That is what I will show him.

MR. SMITH: I never asked, prayed for, desired, or got a favour from the last Government.

MR. TUPPER: Will the hon. gentleman allow me to tell a favour he asked for?

Some HON. MEMBERS: Order.

MR. TUPPER: The hon. gentleman begged of me to implore—

Some HON. MEMBERS: Order.

MR. TUPPER: The leader of the Government to make him a member of the Privy Council of Canada.

Some HON. MEMBERS: Order.

MR. TUPPER: That is what he asked for, and he—

Some HON. MEMBERS: Order.

MR. TUPPER: Was refused; and it was the want of that position, and that refusal which, to a large extent, has placed him where he is to-day.

Some HON. MEMBERS: Order.

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

THE SERGEANT-AT-ARMS: Mr. Speaker, a Message from His Excellency the Governor-General.

Some HON. MEMBERS: Order.

MR. SMITH: I now—

MR. SPEAKER: I have very much pleasure in informing the House that it now becomes my duty to receive the Messenger—

Some HON. MEMBERS: Order.

MR. SMITH: He knows—

MR. TUPPER: Coward, coward; sit down.

MR. SPEAKER: I—

MR. SMITH: He knows—

Some HON. MEMBERS: Order.

MR. TUPPER: Coward, coward, coward.

MR. SMITH: You are the coward.

Some HON. MEMBERS: Order.

MR. SMITH: Nay, further, there were two gentlemen, members of this House—

Some HON. MEMBERS: Order.

MR. SMITH: The day after that 4th November—

MR. TUPPER: Coward, coward.

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

Some HON. MEMBERS: Order.

MR. TUPPER: Mean, treacherous coward.

MR. SMITH: Who is the coward, the House will decide—it is yourself.

MR. TUPPER: Coward, treacherous—

MR. SMITH: I could not support them—

MR. SPEAKER: Admit the Messenger.

SIR JOHN A. MACDONALD: That fellow Smith is the biggest liar I ever met!

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

“MR. SPEAKER:—

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

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

### In the Senate Chamber.

His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Bills:—

An Act to incorporate the Fishwick's Express and Merchants' Forwarding Company (Limited).

An Act further to amend the Act intitled “An Act respecting the Public Works of Canada.”

An Act to incorporate “La Société de Construction du Comté d'Hochelega,” as a Permanent Building Society, and for other purposes.

An Act respecting the Port Whitby Harbour Company.

An Act to provide that persons charged with common assault shall be competent as witnesses.

An Act to grant relief to the Canada Agricultural Insurance Company.

An Act to incorporate the Missionary Society of the Bible Christian Church in Canada.

An Act to amend the Law respecting Deck Loads.

An Act respecting the Duty on Malt.

An Act to provide for the creation and registration of Homestead Exemption Estates in the Territories of Canada.

An Act to amend section sixty-eight of “The Penitentiary Act of 1875.”

An Act respecting persons imprisoned in default of giving securities to keep the peace.

An Act to make provisions for the winding up of insolvent incorporated Fire or Marine Insurance Companies.

An Act to amend “An Act respecting conflicting claims to lands of occupants in Manitoba.”

An Act to grant certain powers to the Agricultural Mutual Assurance Association of Canada, and to change its name.

MR. SPEAKER.

An Act to amend the Acts incorporating the Brockville and Ottawa Railway Company and the Canada Central Railway Company, and to provide for the amalgamation of the said Companies.

An Act to confer certain powers on the Montreal Building Association by the name of “The Montreal Investment and Building Company.”

An Act to authorize the Stadacona Fire and Life Insurance Company to reduce its Capital Stock, and for other purposes.

An Act to amend the Act thirty-seventh Victoria, chapter eight, intitled: “An Act to impose license duties on compounders of spirits; to amend the Act respecting the Inland Revenue, and to prevent the adulteration of Food, Drink and Drugs.”

An Act to authorize the advance of certain sums to the Province of Manitoba, in aid of the Public Schools therein.

An Act to amend the Act respecting the Election of Members of the House of Commons.

An Act respecting the Ontario Express and Transportation Company.

An Act to amend the law respecting Building Societies carrying on business in the Province of Ontario.

An Act to amend the law relating to Stamps on Promissory Notes and Bills of Exchange.

An Act to provide for the better auditing of Public Accounts.

An Act respecting the Traffic in Intoxicating Liquors.

An Act further securing the Independence of Parliament.

An Act for the better prevention of crimes of violence in certain parts of Canada until the end of the next Session of Parliament.

The Speaker of the House of Commons then said:—

“MAY I PLEASE YOUR EXCELLENCY,—

“The Commons of Canada have voted the Supplies required to enable the Government to defray the expenses of the Public Service.

“In the name of the Commons, I present to your Excellency a Bill intitled, an Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial year ending respectively the 30th June, 1878, and the 30th June, 1879, and for other purposes relating to the Public Service, to which I humbly request Your Excellency's assent.”

To this Bill the Royal Assent was signified in the following words:—

“In Her Majesty’s name, His Excellency the Governor General thanks Her loyal subjects, accepts their benevolence, and assents to this Bill.”

The titles to the following Bills were then read :—

An Act to repeal Section twenty-three of “The Merchant Shipping Act, 1876,” as to Ships in Canadian Waters.

An Act for the relief of Hugh Hunter.

An Act for the relief of Victoria Elizabeth Lyon.

An Act for the relief of George Frothingham Johnston.

To these Bills, the Clerk of the Senate, by His Excellency’s command, did thereupon say :

“His Excellency the Governor General doth reserve these Bills for the signification of Her Majesty’s pleasure thereon.”

His Excellency the Governor General was then pleased to address the two Houses in the following Speech:—

“Honourable Gentlemen of the Senate :

“Gentlemen of the House of Commons :

“I am glad to be able to relieve you from further attendance in Parliament after a somewhat long and laborious Session.

“I shall take the necessary steps, at an early day at the close of the financial year, to give effect to the measure you have passed for the better auditing of Public Accounts.

“I shall call the attention of Her Majesty’s Government to your Address, praying that all of British America, excepting Newfoundland, shall be, by Imperial action, declared to be within the Dominion of Canada.

“I rejoice that during the term of my administration, this final step to consolidate British interests on the continent of America, has been taken with so much unanimity, and that henceforth the Dominion Government will, under Her Majesty, exercise undisputed sway over the northern half of this continent.

“I am happy to be able to state that, pending the final settlement of the question of boundary, a conventional line has been

adopted by my Government and the Government of the United States, between Alaska and British Columbia, on the Stickeen River.

“The large sums you have appropriated for the great works of internal improvement will be expended with the most rigid regard to economy, and in the expectation that the principal canals under construction may be nearly completed within the next financial year.

“The settlement of Manitoba and the North-West Territories has been proceeding this year with unexampled rapidity, and if the efforts of my Government to obtain a railway connection with Winnipeg, at a very early day should be successful, I anticipate, next year, a still larger increase to the population.

“It is especially gratifying to find so many Canadians, who had in former years emigrated to the United States, now returning to the newly organized territories of their native land.

“Gentlemen of the House of Commons :

“I thank you for the supplies which you have granted for the various public services.

“Honourable Gentlemen of the Senate :

“Gentlemen of the House of Commons :

“Nothing could have given me more gratification than the joint Address with which you have honored me on the eve of my departure.

“My interest in Canada shall not cease, when my mission, as Her Majesty’s Viceroy shall have terminated, and I am glad to know that you have taken so favourable a view of my efforts to fittingly represent our most gracious Queen in this the most important of Her Majesty’s Colonial Possessions.

“I now bid you farewell, and earnestly trust that you may find in the future the manifold blessings which I shall ever pray may be continually showered upon you.”

The Parliament of the Dominion of Canada was then prorogued to Wednesday, the 19th June next.

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1<sup>o</sup>, 407; 2<sup>o</sup>, 486; Com., 1206; 3<sup>o</sup>, 1290.
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1<sup>o</sup>, 407; 2<sup>o</sup>, 682; Com., 1206; 3<sup>o</sup>, 1290; Senate amendments concurred in, 1653.
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1<sup>o</sup>, 427; 2<sup>o</sup> negated, 1667.

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1<sup>o</sup>, 531; 2<sup>o</sup>, 682; Com., 1290; 3<sup>o</sup>, 1380.
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1<sup>o</sup>, 531; 2<sup>o</sup>, 682; 3<sup>o</sup>, 1206.
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1<sup>o</sup>, 531; 2<sup>o</sup>, 683; 3<sup>o</sup>, 1860.
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1<sup>o</sup>, 567; 2<sup>o</sup>, 682; 3<sup>o</sup>, 1523.
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1<sup>o</sup>, 663; 2<sup>o</sup>, 711; Bill withdrawn, 1219.
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1<sup>o</sup>, 663; 2<sup>o</sup>, 887.
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1<sup>o</sup>, 663; Bill withdrawn, 1425.
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1<sup>o</sup>, 663.
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1<sup>o</sup>, 708; 2<sup>o</sup> and 3<sup>o</sup>, 1262.
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1<sup>o</sup>, 708; Order for 2<sup>o</sup> discharged and Bill withdrawn, 2069.
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1<sup>o</sup>, 740; 2<sup>o</sup>, 1866.

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1<sup>o</sup>, 740.
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1<sup>o</sup>, 801.
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1<sup>o</sup>, 802; 2<sup>o</sup>, 1262; Com., 1705; Order discharged and Bill withdrawn, 2485.
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1<sup>o</sup>, 951.
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2<sup>o</sup>, 951; Order discharged and Bill withdrawn, 2485.
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1<sup>o</sup>, 1163; 2<sup>o</sup>, 1206; 3<sup>o</sup>, 1659.
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1<sup>o</sup>, 1396; 2<sup>o</sup>, 2006; 3<sup>o</sup>, 2033.
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